



# Development Review Procedures Manual



City of  
**Rockville**  
Get Into It



Community Planning and Development Services  
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# Chapter 1

## Introduction and Purpose

The purpose of this Development Review Procedures Manual is to describe and implement the applications and review procedures prescribed in the Zoning Ordinance. The application and review procedures, and a Project Impact Points System (PIPS) for determining the level of review, replace the former system of Use Permits and Special Development Procedures in the previous Zoning Ordinance. New types of approvals are intended to improve the quality of applications, associated review and resultant development, and to enhance community involvement. To that end, a pre-application phase and Area Meetings with the community are mandatory as part of virtually every development application.

This manual is intended to give citizens, developers, applicants, staff and other interested parties a comprehensive overview of what is involved in processing development applications and to ensure accurate, complete and timely application review.

Nothing in this document is intended to supersede the Rockville City Code and it should not be relied on as a substitute for such regulations. It is intended, however, to summarize and implement the regulations governing development contained in the City Code and primarily in the City's Zoning Ordinance (Chapter 25 of the City Code). Except for those requirements imposed by State law, no failure to comply with any provision of this manual shall be deemed to be a jurisdictional defect.

In addition to a generalized overview of steps involved in taking a proposal or project through development review, permitting, construction and inspection, this manual focuses on the development review portions of the process. As shown in Figure 1, some development proposals may require more than one type of development application. For example, a drive-through restaurant requires a Special Exception in certain zones in addition to a Site Plan application.

The manual is organized to follow the chronological phases of a typical development review process from pre-application to decision. It summarizes community involvement requirements that include "Area" meetings; mail notices of the meetings and affidavits of compliance that area meetings were properly conducted. The number of meetings and the size of the notification area are based on the "level" or type of Site Plan, or Project Plan. The manual also summarizes how the City's professional staff reviews applications, what documents are used, and the time frame for staff reports and agenda

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*The Zoning Ordinance was adopted on December 15, 2008 and became effective on March 16, 2009.*

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*You can track the progress of specific projects from the City's website at: [www.rockvillemd.gov/zoning/development/index.html](http://www.rockvillemd.gov/zoning/development/index.html)*

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*Please note that construction of new single-unit detached residences and additions to existing single-unit detached residences are not covered by the processes contained in this manual unless they are subject to a review for Administrative Adjustment, Nonconforming Alteration or Variance*

packets. Finally, the manual outlines what to expect at a public hearing or meeting of the Mayor and Council, Planning Commission and other boards and commissions that are involved in the development review process.

In the latter half of the manual, each type of application is listed and summarized with a flowchart of major steps. Appendices include the planning-related fee schedule, Development Review Committee contact list, sample letters, affidavits and other useful documents and forms. All application forms and this manual are available from the Community Planning and Development Services (CPDS) Department on the second floor of City Hall, 111 Maryland Avenue, or on the City's Web site: [www.rockvillemd.gov](http://www.rockvillemd.gov).

## Chapter 2

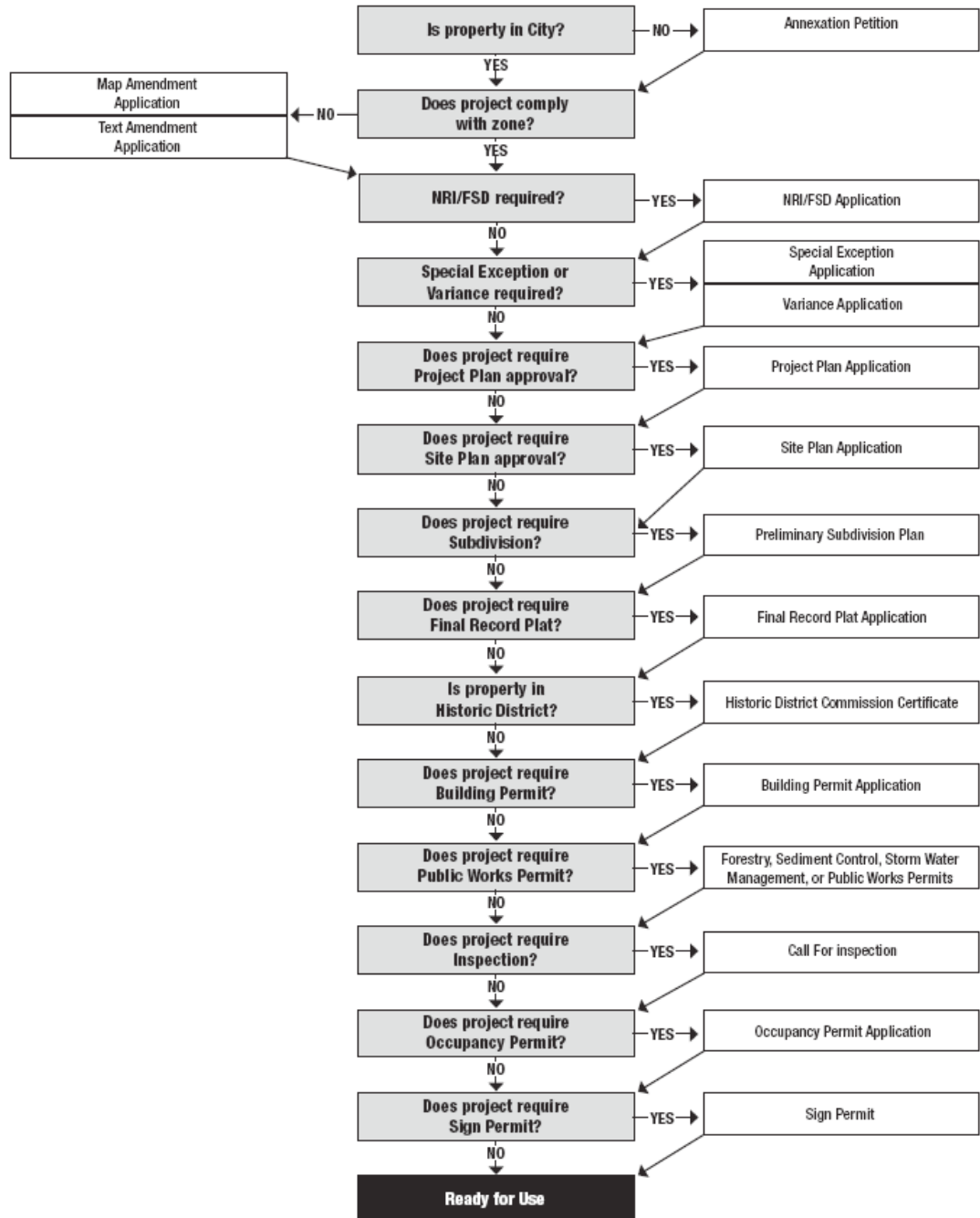
# Overview of the Development Review Process

The development review procedures outlined in the Zoning Ordinance are intended to achieve high quality development that complies with the design regulations of the City Code and endeavors to address the concerns of the surrounding community. These procedures govern all development projects except single-unit dwellings (unless a single-unit dwelling requires an Administrative Adjustment, Nonconforming Alteration, or Variance application).

The Zoning Ordinance mandates meetings with both the community and City staff at certain milestones in the process. Figure 1 summarizes the major steps in the development review process, the details of which can be found in the flowcharts in Chapter 5 and the referenced Zoning Ordinance sections.

Figure 1.

## City of Rockville Development Review Process





## Chapter 3

# Highlights of the Development Review Process

*The following pages highlight the major steps of the development review process. Nothing in this document is intended to supersede the Zoning Ordinance, City Code or other documents that contain City requirements related to the design standards and the review process for development projects. The information provided below is meant to be a brief overview of processing requirements, policies and protocols for development review applications. This manual does not impose substantive requirements.*

## Pre-application Phase

**Initiation and Coordination with Neighborhoods.** The pre-application phase begins the formal coordination and approval of a proposed project. The steps to accomplish this phase are described below. Prior to initiating the pre-application phase an applicant is strongly encouraged to meet with the representatives of the neighborhoods that will surround the project. It is our experience that working with the neighborhoods early in the process is of benefit to both citizens and the applicant.

**Project Impact Points System.** The level of review for each site plan or project plan application is determined by the Project Impact Points System (PIPS), a table of five criteria established in the Zoning Ordinance. The table is available in Appendix B and includes criteria for tract size, number of dwelling units proposed, amount of non-residential building area, residential area impact and traffic impact of the proposed project.

To determine the level of site plan review that will be required, the applicant should do a preliminary calculation of the proposed project's point value. Staff will later review this during the pre-application process. The methodology for calculating the Residential Area Impact is included in Appendix B.

To calculate the number of points earned for Traffic Impact, refer to the results of a Comprehensive Traffic Review (CTR) study, if already prepared; Appendix C: Traffic Estimates for PIPS Determination; or Transportation Division traffic estimates.

Special Exception applications will be processed through the Board of Appeals pursuant to Section 25.15.01.a.2 of the Zoning Ordinance, regardless of their point total.

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### **Level of Review Points**

**Level 1 Site Plan: 0-6**

**Level 2 Site Plan: 7-15**

**Project Plan: 16 or More**

*The applicant must complete their Pre-application Area Meeting prior to meeting with the Development Review Committee.*

However the required area of notification is based on the PIPS point total. If the project requiring Special Exception approval involves site development or redevelopment, a subsequent site plan must be approved. The site must be processed as a Level 2 Site Plan Review subject to review and approval from the Planning Commission.

**Pre-application Materials and Fees.** The pre-application process is the initial step in development review in most cases and is (1) designed to give the applicant a preliminary determination of the required level of site plan review and (2) provide an introduction of the proposed project to the surrounding neighborhood.

The applicant must complete an application form and supply the required supporting information. Prior to conducting the Pre-application Meeting with the Development Review Committee, the applicant must provide notice of, and conduct, a Pre-Application Area Meeting with the surrounding neighborhood. The Pre-application Meeting checklist and application form are provided in Appendix F. The submission materials vary depending on the anticipated type of application or level of review.

The Pre-application Meeting Checklist and, Application Form and submission materials should be submitted to CPDS along with the appropriate application fee. The submission package should also include the Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) with review fee, Comprehensive Transportation Review (CTR) Intake Scoping Form with review fee and Pre-Application and/or Development Stormwater Management Concept with review fee, as applicable. All required fees should be paid by separate checks made payable to the City of Rockville.

#### **Notification Distances by Application**

- **Level 1 Site Plans:**  
750 feet
- **Level 2 Site Plans:**  
1,000 feet
- **Project Plans:** 1,500 feet
- **Special Exceptions:**  
*the notification areas are the same as the corresponding site plan level based on the total points earned on the PIPS table.*

**Pre-application Area Meeting (PAM), Notices and Follow Up.** Certain applications (Level 1 and 2 Site Plans, Project Plans, and Special Exceptions) require the applicant to meet with the surrounding community. This meeting is called the Pre-application Area Meeting and shall be scheduled prior to the DRC meeting. Figure 3 and Chapter 5 illustrate the types of applications that require an area meeting. In addition, the applicant must provide written public notice, mailed via first class mail, at least two weeks prior to the meeting. The size of the area of notification is outlined in the Zoning Ordinance and is based on the type of application and level of review.

The applicant is required to provide **written notice** for most types of applications. ***The posting of signs on the property is not required for the pre-application area meeting.*** A sample notification is supplied in Appendix I. Requirements for notifying property owners, tenants, homeowner and civic associations are specified in Sections 25.05.03 and 25.07.03 of the Zoning Ordinance, as well as Chapter 4 of this manual. Special attention should be paid to these requirements so applications will not be unduly delayed.

*References: Zoning Ordinance, Section 25.07.02; Project Impact Points System (PIPS) – Appendix B; Traffic Estimates for PIPS Determination – Appendix C*

*Zoning Ordinance, Article 7; Forest and Tree Preservation Ordinance (Chapter 10.5 of Rockville City Code); Zoning Ordinances and Guidelines Applicable to the Development Review Process – Appendix A; Pre-application Meeting checklist and application form – Appendix F; Flowcharts for the appropriate type of application – Chapter 5 of this Manual; Fee Schedule – Appendix D*

At the Pre-application Area Meeting the applicant notifies the community of the location and scope of the proposed project, and solicits comments on the proposal prior to the applicant formalizing its plans and application. Specifically, the applicant shall;

- Share as much information (e.g. project concept, types of buildings and their size and height, site plans, project access, etc.) as is available at the time;
- Present the expected process and events (e.g. applications, reviews, hearings) and provide a tentative schedule.
- Discuss the Adequate Public Facilities Ordinance (see paragraph 3.a.7),
- Discuss the Natural Resources Inventory/Forest Delineation Approval (see paragraph 3.a.8)
- Discuss the Pre-Application Stormwater Management Concept (see paragraph 3.a.9)
- The Pre-Application Meeting Checklist and Application Form (Appendix F of this manual) and the Scoping Intake Form (Appendix G of this manual) will be provided to community attendees if available. (In some cases, the applicant will have held the area meeting prior to preparation of these documents.)
- Establish a means of communicating with members of the community who wish to receive on-going information and materials about the project. This shall be done by creating a list of the names and addresses of community members who wish to receive this information and shall include their contact information, preferably their email addresses. The list shall be provided to the City's project manager and be incorporated into the minutes of the meeting.

The goal of this meeting is to accomplish a worthwhile exchange between the applicant and the community wherein the applicant shares information on the project and the community provides comments on how the proposed project will impact their community. This is the time, before detailed design is undertaken, to consider changes/improvements to the project that will be responsive to community concerns and hopefully serve to better integrate the project within the community and the City.

The applicant is required to provide minutes of the pre-application area meeting. The minutes must be taken by an objective outside source provided at the applicant's expense. The minutes shall include a list of concerns raised by members of the community and the list of citizens who wish to receive further information about the project. Citizens are strongly urged to submit specific concerns in writing to the City's project planner. If community members find discrepancies in the minutes then these should be reported in writing to the City's project manager prior to the DRC meeting, who will advise the applicant and include these in the DRC discussion of community concerns.

An on-going dialogue with the community subsequent to the Pre-Application Area Meeting may be helpful to both the applicant and the community. Such a dialogue may serve to reach a common understanding among stakeholders early and potentially achieve joint support for the project. When preparing detailed site plans for the formal application, the applicant should consider incorporating comments or addressing concerns voiced at the Area Meeting. Appendix H outlines Area Meeting guidelines.

It is extremely important that the project applicant share information with the

community and provide that information in a timely fashion. Therefore applicants are expected to respond to information requests from residents as expeditiously as possible, and agree to share information as the project progresses and modifications are made. As updated information is presented to the City, it is expected that such updated information (including site plans and oversized drawings) will also be provided by the applicant to interested residents in a manner consistent with agreed-upon protocols established during the pre-application area meeting.

Prior to conducting the pre-application meeting with the Development Review Committee (see below) the applicant must file with CPDS affidavits confirming the notice (and the conduct) of the Pre-application Area Meeting and affirming that the minutes of the meeting were taken by an objective, outside source, a map of the area notified, the mailing list on CD, copies of any handouts or materials presented at the meeting, a list of attendees and the minutes of the meeting. See code references and flowcharts for exact timing of these materials and Appendix K for the affidavit form.

**Pre-application Meeting with the Development Review Committee (DRC).** A Pre-application Meeting with the DRC is required for certain applications (Level 1 and 2 Site Plans, Project Plans, and Special Exceptions) and encouraged for others. Upon completion of the pre-application area meeting, and submittal of the required area meeting materials, the Principal Planner assigns the meeting date when the application is accepted. The Project Planner assigned to the case will contact the applicant to introduce him/herself and to confirm a specific time for the meeting. This lead-time is provided so staff can review the materials submitted and come to the meeting prepared with questions or comments for the applicant.

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*Members of the public are welcome to attend and observe meetings of the DRC.*

The Pre-application Meeting is normally scheduled for one hour at City Hall. The DRC Coordinator (Principal Planner) chairs the meeting and the assigned Project Planner outlines the case. DRC members from various departments and specialties including planners, engineers, foresters and others that may be involved in application review attend. At the DRC meeting, concerns raised by the community will be identified, as recorded in the minutes of the Pre-application Area Meeting. Specific concerns that have been submitted in writing to the City's project planner, and that are under the purview of the DRC review, will be discussed. The staff and applicant will work together to identify the process and proposed schedule which includes all of the events (i.e. applications, reviews, hearings) and the expected timing of these events. This meeting also serves as the Comprehensive Transportation Review (CTR) scoping meeting.

**Coordination with Other Applications.** Some development proposals may require more than one type of application. For example, certain uses in the Zoning Ordinance Land Use Tables require a Special Exception application to ensure that the use is compatible with the surrounding area. Following approval, Special Exceptions involving site development or redevelopment proceed to a Site Plan Level 2 application to review the site design and building mass and placement. If a development lies within a historic

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*References: Zoning Ordinance Sections 25.05.03 and 25.07.03; Sample Letter of Notification, Appendix I*

*References: Zoning Ordinance, Section 25.07.02; DRC Contact List – Appendix E; CTR Scoping Intake Form – Appendix G*

district, a Certificate of Approval will be required for review by the Historic District Commission (HDC). If a development proposes demolition of an existing structure not in a historic district, it will first be reviewed for possible historic significance. Other types of applications may also be required for one development, depending on the proposed land use, the scope, or other characteristics of the proposed project. Refer to the Zoning Ordinance and seek assistance from CPDS to assess the need for multiple applications for a given project.

With the exception of HDC decisions on demolitions, simultaneous processing of applications is generally allowed but is **at the applicant's own risk**. This caveat exists because reviews may overlap to save time but may create extra expense and time for the applicant later, if plan revisions are necessary. For example, an applicant may want to defer the expense of a detailed site plan until the Board of Appeals decides that the Special Exception use can be approved. At the Pre-application Area Meeting the applicant shall inform the community of the process that will be followed and the sequence of events. If more than one application is required (e.g. Special Exception, Map Amendment or Historic District Commission) then the applicant must identify these events and provided an estimated schedule for each event (e.g. applications, reviews and hearings).

Although not mandatory, it is suggested that a simultaneous review be requested at the Pre-application Meeting. For projects with multiple applications, the applicant should also consult with DPW regarding required the number and type of Stormwater Management Concept reviews and approvals.

**Adequate Public Facilities Ordinance (APFO).** Any development or redevelopment must comply with the City's Adequate Public Facilities Standards as set forth in Article 20 of the Zoning Ordinance. These standards were adopted to ensure that necessary public facilities would be available to serve new development or redevelopment. The public facilities and services to be examined for adequacy are roads and public transportation facilities, water and sewer service, schools, and fire and emergency services.

Adequate Public Facilities Submission Statements and supporting supplemental material must be included as part of the application materials for a development proposal.

- **Waiver Provisions:** Certain classes of uses are deemed to have little or no impact on public facilities. Section II.C of the Adequate Public Facilities Standards should be consulted for those uses where the approving authority may waive full compliance. For example, accessory apartments, places of worship and senior housing may be granted a waiver.

**Pre-Application Stormwater Management (SWM) Concept Approval.** The Pre-application SWM Concept is the first approval in the City's three stage SWM

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*References: Chapter 19 of the Rockville City Code, Sediment Control and Stormwater Management, Article IV; Zoning Ordinance, Article 7*

*References: Zoning Ordinance, Article 20; Adequate Public Facilities Standards (Resolution 27-05)*

process. A Pre-application SWM Concept for the project will be reviewed during the Pre-application Phase. In approving the Concept DPW's Engineering Division will make the determination of the project's compliance with the requirement to provide Environmental Site Design to the Maximum Extent Practicable (ESD to the MEP). Requirements for drainage and safe conveyance studies will also be determined with this approval, although the studies will be required at a later stage. The Pre-application SWM Concept must be approved prior to submission of the Application.

**Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) and Preliminary Forest Conservation Plan (PFCP) Approval.** A Natural Resources Inventory/Forest Stand Delineation encompassing the entire tract proposed for development is required to be prepared and approved by the City Forester's office in advance of submitting an application. The NRI/FSD serves as the basis for the preliminary and final Forest Conservation Plans. The City Forester must approve, disapprove or request additional information within 30 days of submission of the NRI/FSD. A Preliminary FCP for the project will be reviewed during the Pre-application Phase. The Preliminary FCP will be used to determine how the project will comply with the forest conservation, significant tree replacement and minimum tree cover requirements. The Preliminary FCP must be approved prior to submission of the Application. The City Forester must approve, disapprove or request additional information within 45 days of submission of the Pre FCP.

## Application Phase

**Application Materials and Fees.** All applications (except the four noted below) are submitted to CPDS. Annexation, Street Closing and Abandonment, Text Amendment and Map Amendment applications are submitted to the City Clerk's Office. Application requirements are summarized on the application forms and detailed in the Zoning Ordinance. Both are available in hardcopy at the CPDS office or online at the City's Web site: [www.rockvillemd.gov](http://www.rockvillemd.gov). The application process for each application type is summarized on the flowcharts in Chapter 5.

To be accepted by CPDS intake staff, the submittal must include the application form/checklist, required fees, required companion studies (NRI/FSD, Pre or Final FCP, CTR, SC/SWM studies), required supporting documents (minutes from the pre-application area meeting) and the required number of site plans (folded). All submission materials and documents must be submitted on a CD in pdf electronic format.

Within five working days of submission, the DRC Coordinator/Principal Planner reviews the applications for completeness and determines if the content is sufficient for acceptance. If accepted, the Principal Planner will send a letter verifying acceptance, identifying the Project Planner assigned and the review process begins. If the application materials are found to be incomplete or insufficient for review, the Principal Planner

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*References: Chapter 10.5 of the Rockville City Code; Rockville Forest Conservation Manual (Resolution 7-07)*

*References: Chapter 19 of the Rockville City Code*

*References: Chapter 10.5 of the Rockville City Code; Rockville Forest Conservation Manual (Resolution 7-07)*

returns all materials to the applicant with a letter explaining the deficiencies.

On acceptance, the Project Planner routes the application materials to the DRC and any outside agencies that need to review the application. Depending on the type of application, the DRC has two to four weeks to review the materials and prepare written comments. The Project Planner is the primary point of contact between the applicant and City staff and acts as a resource for the applicant regarding processing and most substantive issues. The Project Planner also schedules all meetings (except Area Meetings) including those before the applicable Approving Authority. Additional information on the DRC process is included beginning on page 11 of this manual, and a contact list of project planners and DRC members is provided as Appendix E.

In addition, the Project Planner evaluates the development proposal for compliance with the Zoning Ordinance, Comprehensive Master Plan and other adopted plans that are relevant to the subject property. The Project Planner prepares a staff report with recommendations that consolidate final comments and conditions from the DRC participants. This report is forwarded to the Approving Authority for its consideration at public meetings. This process is discussed in more detail in the Decision Phase section of this manual.

**Notification Sign.** Most applications require the posting of a sign on the subject property. Requirements, including where to place the sign, are found in Section 25.05.03.d of the Zoning Ordinance. Signs are provided by the City and must be posted by the applicant within five days of receipt. It is the applicant's responsibility to keep the sign up to date if public meeting dates change. On the day of every public meeting or hearing by an Approving Authority, the applicant must submit an affidavit to the Project Planner certifying that the sign has been posted and maintained in accordance with Zoning Ordinance requirements. A copy of the affidavit is provided in Appendix M.

**Post-application Area Meeting, Notice and Follow Up.** Most applications require the applicant to meet with the surrounding community after submittal. This meeting is called the Post-application Area Meeting. Figure 3 and Chapter 5 of this manual illustrate the types of applications that require an Area Meeting. In addition, the applicant must provide (except for those application types noted below) written public notice, mailed via first class mail, at least two weeks prior to the meeting. The notification area is outlined in the Zoning Ordinance and is the same as for Pre-application Meetings. For Special Exceptions, the notification areas are the same as the corresponding site plan level based on the total points earned on the PIPS table.

A sample notification letter is supplied in Appendix I. Requirements for notifying property owners, tenants, homeowner and civic associations are specified in Section 25.05.03 and 25.07.03 of the Zoning Ordinance, as well as Chapter 4 of this manual. Special attention should be paid to these requirements so applications will not be unduly delayed.

The purpose of the Post-application Area Meeting is to notify the community that

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*The City (CPDS) provides written notice for Administrative Adjustments, Sectional Map Amendments, Text Amendments, Street Closing and Abandonments and Variances. Written notice for all other applications is provided by the applicant.*

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*References: Zoning Ordinance, Article 7; Fee Schedule – Appendix D: Application forms/ checklists – online at [www.rockvillemd.gov](http://www.rockvillemd.gov) DRC Contact List – Appendix E*

*References: Zoning Ordinance Section 25.05.03.d*

the application has been filed, give details of the proposed project, provide the date of the DRC meeting, outline the application process and anticipated timing, and solicit comments. In specific, the applicant shall;

- Share all pertinent information (e.g. site location, site plans, elevation drawings of buildings, forest conservation plans, landscape plans, traffic analyses, etc.) that were submitted as part of the application;
- Shall make all application materials available to members of the community as requested
- Present the expected process and events (e.g. applications, reviews, hearings) and provide a tentative schedule for them. The goal is to achieve a schedule that is fair to the applicant and to the community.
- Address the Adequate Public Facilities Ordinance (see paragraph 3.a.7)
- Address the Natural Resources Inventory/Forest Delineation Approval (see paragraph 3.a.8)
- Address the Pre-application Stormwater Management Concept Approval (see paragraph 3.a.9)
- Update the list of community members who wish to receive on-going information about the project (See paragraph on Pre-application Area Meeting above for more information on this list.)

The goal of this meeting is to fully educate the community about the scope and breadth of the application. The applicant is required to provide minutes of the post-application area meeting. The minutes must be taken by an objective outside source provided at the applicant's expense. The minutes shall include a list of concerns raised by members of the community and the list of citizens who wish to receive further information about the project. Citizens are strongly urged to submit specific concerns in writing to the City's project planner. If community members find discrepancies in the minutes then these should be reported in writing to the City's project manager prior to the DRC meeting, who will advise the applicant and include these in the DRC discussion of community concerns.

It is extremely important that the project applicant share information with the community and provide that information in a timely fashion. Therefore applicants are expected to respond to information requests from residents as expeditiously as possible, and agree to share information as the project progresses and modifications are made.

The Project Manager assigned to the case will attend the Post-application Area Meeting to address any process questions that may arise and to make any clarifications of information provided that may serve to better inform the public about the project. Appendix H outlines Area Meeting guidelines. Additional advice may be obtained from the Project Planner or the Neighborhood Resources Office.

During this stage of the process, the applicant must file with CPDS affidavits

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*References: Zoning Ordinance Section 25.07.02*



confirming the notice (and holding) of the Post-application Area Meeting and affirming that the minutes from the meeting were prepared by an objective, outside source, a map of the area noticed, the mailing list on CD and copies of any handouts or materials presented at the meeting. See code references and flowcharts for exact timing of these materials and Appendix L for the affidavit forms.

**Briefings to Mayor and Council and Planning Commission.** Project Plan applications require briefings on the application at both a Mayor and Council meeting and a Planning Commission meeting early in the application process. The purpose of the briefings is to inform officials about those larger scale applications that are being processed. The applicant is expected to make a presentation at each of these meetings of no more than 10 minutes to give an overview of the proposed project and the schedule that they have laid out for accomplishing review and approval of the project. The applicant must also notify the community, via written mail, at least two weeks in advance, and provide an affidavit per the sample in Appendix K.

**Development Review Committee (DRC).** Meeting with the DRC is a key component of the application review process. The DRC is composed of professionals and specialists from several City departments who review development applications for compliance with City codes and policies. The meetings of the DRC are open to the public, although no public testimony or participation is allowed during the meeting.

A list of DRC members is provided in Appendix E. In certain instances, outside agencies will be invited to participate on utility or county or state road issues.

The DRC will review each development proposal during the pre-application phase and again during the application phase. During the pre-application phase, one applicant DRC meeting is conducted. A DRC staff-only meeting will only be held in the most complex cases. During the application phase, DRC review is a two-part process: one meeting of DRC staff only and a second meeting with the DRC and the applicant. The applicant DRC meeting usually occurs one week after the staff DRC meeting on Thursdays. The purpose of the staff DRC meeting is to coordinate questions and comments and reduce overlap of regulations. The purpose of the applicant DRC meeting is to allow an opportunity to identify concerns, ask for clarification, and discuss possible alternative designs or conditions. Additional DRC meetings may be held if necessary or for revisions to applications. The applicant will utilize the list of community members identified in the list contained in the minutes of the Area Meetings to notify community members of these additional meetings and any changes to the process and schedule.

- **Scheduling:** The DRC generally meets every Thursday at City Hall. One hour is typically allotted per application. The Principal Planner will assign the applicant DRC meeting date and time on acceptance of an application or pre-application. The meetings will be held three to five weeks after submission depending on the application type. The DRC meeting shall occur after the Area Meeting has been conducted and minutes of the meeting have been submitted to the City staff and members of the community. The minutes must be submitted seven days prior to the

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**DRC Schedules by Application Type**  
**PAM:** 3 Weeks after Acceptance  
**Level 1 and 2 Site Plan:** 3 Weeks after Acceptance  
**Project Plans:** 5 Weeks after Acceptance  
**All Other:** 3 Weeks after Acceptance

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*Members of the public are welcome to attend and **OBSERVE** meetings of the DRC.*

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References: Zoning Ordinance Section 25.07.08

*The Project Planner is the **PRIMARY** point of contact for project information.*

DRC meeting to allow sufficient time for City staff to review comments provided by the community. If the schedule for the appropriate Thursday is full, intake staff will assign the next available Thursday.

- **Communication:** The Project Planner is the liaison between the applicant and the DRC for processing and many other substantive issues. The applicant should feel free to contact other appropriate DRC members to discuss technical issues or questions. For pre-applications, the Project Planner will call the applicant at least one week prior to the DRC meeting to introduce him/herself, explain the agenda of the upcoming meeting and answer any questions the applicant may have. For the application phase, the Project Planner will call the applicant after the staff DRC meeting (Thursday or Friday before the applicant DRC meeting) to confirm the meeting time and share preliminary written comments from the staff DRC meeting. Community members may check the City's website for the DRC meeting date, or contact the Project Planner. They may also contact the planner for a copy of the preliminary written comments from the staff DRC meeting.
- **Agenda:** The applicant DRC Meeting is chaired by the DRC Coordinator/Principal Planner. The applicant will have an opportunity to ask questions or give a brief overview of changes made since pre-application. Then each department identifies concerns, based upon comments entered into the City's permit review system. A copy of these written comments will be provided to the applicant at the DRC meeting.

**Application Review.** Applications are reviewed by staff in the following areas:

► **Planning and Zoning (CPDS)**

The Project Planner is the primary contact for the applicant, coordinates all DRC review comments, and generally reviews an application submittal for:

- ◆ Whether the application materials are sufficient for review;
- ◆ Compliance with the Zoning Ordinance (i.e. use, setbacks, bulk requirements and site development requirements such as parking, landscaping and signage) and all applicable regulations, including required findings of the Zoning Ordinance that will be used by the Boards/Commissions in assessing the application (e.g. impact on character of the neighborhood);
- ◆ Compliance with the City Master Plan including relevant Neighborhood Plan;
- ◆ Location in or adjacent a Historic District or National Register Property;
- ◆ On-site circulation, as well as site vehicular and pedestrian access;
- ◆ Compliance with the Adequate Public Facilities Ordinance (APFO); and
- ◆ Compliance of building architecture with urban design standards, such as compatibility with surrounding properties and neighborhood character, as outlined in the Zoning Ordinance or Master Plan.

Response to Community Concerns

If area residents would like to express specific concerns to staff about a particular project, it recommended they submit those concerns in writing to the City's project planner. Specific concerns that have been submitted to the

project planner, and that are under the purview of the DRC's review, will be discussed by the DRC.

► **Department of Public Works (DPW)**

DPW is the primary contact for several development issues:

- ◆ Stormwater Management (SWM), safe conveyance and drainage for conformance with Chapter 19 of the City Code including review of Pre-application and Development SWM Concepts;
- ◆ Water and wastewater infrastructure for conformance with the Adequate Public Facilities Ordinance (APFO) Note: Certain areas of the City receive water and wastewater service from the Washington Suburban Sanitary Commission (WSSC.) In these instances the applicant must obtain the necessary WSSC approvals.
- ◆ Conformance with Chapter 21 of the City Code, Streets and Public Improvements.

The Engineering Division of DPW also reviews some elements of the NRI's to ensure sustainability and compliance with the City's environmental guidelines, including floodplains, dam breach/danger reach, topography and other relevant regulations and policies as needed.

► **Traffic and Transportation (DPW)**

The Traffic and Transportation Division of the Department of Public Works reviews development applications using the Comprehensive Transportation Review (CTR) methodology. The division also reviews and approves road modifications, traffic controls and street lighting plans.

The CTR process delineates detailed steps that must be performed with each new development application to measure the transportation impacts and mitigate such impacts as warranted. All new developments must adhere to CTR standards, with the exception of subdivision plans containing fewer than 10 single-family residential lots and minor changes to existing properties. The CTR requires applicants to submit a Transportation Report as follows:

- ◆ Applicants whose developments generate fewer than 30 trips must prepare an "Initial" Transportation Report that analyzes existing traffic conditions, on-site access and circulation, and opportunities for mitigation.
- ◆ Applicants whose developments generate 30 or more trips must prepare a "Detailed" Transportation Report that includes additional off-site auto and non-auto analyses.

For the full CTR process please contact the Traffic and Transportation Division at 240-314-8500 or visit the City's Web site at <http://www.rockvillemd.gov>.

Traffic and Transportation Division staff also provide support to the City's Traffic and Transportation Commission, which has an advisory role in related matters. This Commission may make its own recommendation to the Approving Authority, as provided in the CTR process.

► **Forestry (Recreations and Parks)**

The Forestry Division in the Department of Recreation and Parks approves Natural Resources Inventory/Forest Stand Delineation (NRI/FSD) plans and Forest Conservation Plans (FCP) submitted in support of development applications in accordance with Chapter 10.5 of the City Code, the Forest and Tree Preservation Ordinance (FTPO) and Forest Conservation Manual.

- ◆ The FTPO provides for the protection, preservation and replacement of trees and forested areas during the development process.
- ◆ NRI/FSD and preliminary FCP submissions are required for the following applications:
- ◆ Project Plan, Site Plan and Special Exception applications, and any amendments or modifications thereto;
- ◆ Non-residential Variances; and
- ◆ Subdivisions - Preliminary or Final (not required for recordation of an existing single-family property).
- ◆ NRI/FSD applications are routed to Historic Preservation staff for review and analysis of historic resources (if any) on the subject property, and to the Environmental Management Division for review per the Environmental Guidelines.

► **Recreation and Parks**

The Department of Recreation and Parks administers the City's Publicly Accessible Art in Private Development Ordinance contained in Chapter 4 of the City Code.

Recreation and Parks staff also reviews applications that propose development adjacent City parkland or creating additional City parkland to determine compliance with Recreation and Parks standards.

► **Fire Marshal (CPDS)**

The Fire Marshal's Office in the Inspection Services Division of CPDS reviews applications for compliance with the relevant building, fire and life safety codes as they relate to Site Plans. Comprehensive reviews of the building's compliance with such codes occur during the Building Permit phase after approval by the Approving Authority.

► **Historic Preservation (CPDS)**

Historic Preservation Planners serve as staff liaisons to the HDC and are involved in review of development applications, demolition permits, Certificates of Approval and the NRI/FSD process to identify and preserve the City's historic resources.

The Historic Preservation Section of CPDS reviews development applications for potentially eligible historic designation due to historic, archaeological or architectural significance. This typically occurs early in the planning approval process as part of the NRI/FSD review. If demolition is proposed as part of a development application

and the site is not already designated as historic, the HDC must find it is not historically significant. Applications within a historic district require approval of a Certificate of Approval by the HDC. Development applications are also reviewed for potential impacts on adjacent designated historic districts. Preservation staff will coordinate this courtesy HDC review during the development review process.

► **Long Range Planning (CPDS)**

The Long Range Planning Division of CPDS may participate in application reviews as needed when specialized knowledge of the Comprehensive Master Plan and/or neighborhood plans is required.

► **Environmental Management (DPW)**

The Environmental Management Division of the Department of Public Works reviews applications, NRIs and FCPs to ensure sustainability and compliance with the City's environmental guidelines and other relevant regulations and policies as needed.

► **Sign Review (CPDS)**

Sign review staff reviews applications to ensure that signs are erected and installed in accordance with Article 18 of the Zoning Ordinance.

► **Outside Agencies**

Several outside agencies review planning applications submitted to the City. These include agencies of the Montgomery County government, particularly the Department of Transportation and the Montgomery County Public Schools. Applications may be sent to the Maryland-National Capital Park and Planning Commission and the City of Gaithersburg when proposed development is close to those jurisdictions. State agencies, such as the State Highway Administration (SHA), review applications related to their areas of responsibility. Public utilities are also potential reviewers, particularly PEPCO, WSSC and Verizon.

**Plan Revisions During Application Phase.** Revisions to submitted applications may be required by the DRC or desired by the applicant to show compliance with regulations and conditions or to address community concerns. In the event of revisions, the applicant must provide a narrative describing changes and adequate copies of revised documents. These will be logged in by CPDS intake staff and given to the Project Planner for distribution to departments and external agencies participating in the review. If a third revision (or more) is submitted for review, it must be accompanied by the required Application Resubmission Fee noted on the Fee Schedule in Appendix D.

As noted in previous sections, when updated or revised information is submitted to the City for review, it is expected that these updates are also provided by the applicant to interested residents and in a manner consistent with agreed-upon protocols established during area meetings. This information includes site plans and oversized drawings, and other material prepared showing compliance with regulations and conditions as noted above.

**Evaluation and Staff Reports.** The application is reviewed by members of the DRC based on the codes and policies of the City. A list of the codes, guidelines and manuals most relevant to the review of development applications is attached in Appendix A. This

is by no means an exhaustive list and the City Code and Comprehensive

Master Plan, and applicable Neighborhood Plans, should be consulted for complete information. Such laws take precedence over this manual, should there be a conflict. The DRC process is intended to keep applicants and the community informed of problems, suggestions, requirements and conditions that relate to the application or proposed site plan. This is done through written comments at or following DRC meetings and verbal communication from or through the Project Planner, the Principal Planner or DRC members.

At the close of the DRC process on the final version of the application materials, the staff will set forth their findings, recommendation and conditions (if any) into a written staff report. The coordinator and primary author of this report is the Project Planner; however, the report incorporates findings, recommendations and conditions from all DRC reviewers. The staff report will also provide a discussion of community concerns. Based upon written comments received prior to the completion of the staff report (approximately 12 days prior to the meeting), the Project Manager will identify resident/neighbor concerns in the staff report. This section of the report will also attempt to provide a status of the comment and how it has been addressed.

For most applications, the meeting with the Approving Authority will be scheduled 30 days from the close of the DRC process. This time is needed to prepare the staff report and comply with deadlines for advertising, posting and distributing agendas and packets according to the rules of procedure of the Approving Authority or in certain cases, state or City laws. The applicant will receive a copy of the staff report and agenda immediately after the brief book containing the staff report is sent to the Approving Authority.

## Public Meeting Phase

**Approving Authorities.** The Zoning Ordinance (Article 4) defines “Approving Authority” as the elected or appointed body or other City representative authorized to render a final decision on specific application requests. The Zoning Ordinance prescribes which of the Approving Authorities discussed below makes the decision on each type of application. If an amendment of an approved application is desired, the amendment will be processed through the original Approving Authority unless otherwise stated in the Zoning Ordinance.

All Approving Authorities except for the Chief of Planning, have agendas and packets of information (including staff reports for applications) posted on the City’s website and available in hardcopy in the CPDS office at least five days prior to their scheduled meeting. Applicants are sent a copy of the staff report for their case and the agenda after the packet is sent to the Approving Authority. The Project Planner will send the staff report and agenda via mail or email as requested by the applicant.

Any interested parties may also obtain a copy of the staff report from the website or from CPDS after the packet is distributed to the Approving Authority. The applicant is required to attend meetings, make a presentation at the first meeting and be available for questions at any subsequent meetings. The applicant generally is limited to 10-15

minutes for presentations; public speakers are allowed three to five minutes or as stated in the Rules of Procedure for each Approving Authority.

► **Mayor and Council**

The Mayor and Council reviews and makes decisions on Map and Text Amendments, Project Plan applications, Street Closing and Abandonments, Annexations, and the establishment of Historic Districts. For certain Planned Developments, the Mayor and Council review site plans for schematic design as required by prior approvals. The primary staff contact for Mayor and Council agendas is the City Clerk, however, the Project Planner assigned to the case will have information related to scheduling, agendas and presentations for such meetings.

Mayor and Council meetings are normally held on the second and fourth Mondays of the month at 7 p.m. in the Mayor and Council Chambers of City Hall. Applications are ordered on the agenda according to the type of deliberation necessary. The date, time, location and order of the agenda should be confirmed on the City's website, with the City Clerk's Office or with CPDS staff. The applicant is required to attend the meeting(s) and expected to make a presentation at the first meeting and answer questions that may be asked by the Mayor and Council. There are several stages in the Mayor and Council's application deliberation. The typical order of these stages is hearing, close of record, discussion and instruction and action. These may occur at one meeting or a series of meetings.

► **Planning Commission**

The Planning Commission reviews several types of applications; on some it makes recommendations to other Approving Authorities and on others it renders the final decision. The Planning Commission reviews and makes decisions on Level 2 Site Plan applications, Preliminary Subdivision Plans, Final Record Plats, Ownership Plats, certain Nonconforming Alterations and Time Extensions. The Commission makes recommendations to the Mayor and Council on applications for Project Plans, and Map and Text Amendments. It also reviews and makes recommendations to the Board of Appeals on all Special Exception and non-residential Variance applications with respect to the application's compliance with the Comprehensive Master Plan. The primary staff contact for the Planning Commission is the Chief of Planning.

The applicant is required to attend the Planning Commission meeting(s) and is expected to make a presentation at the first meeting and be available for questions from commissioners. As determined by the commission's Rules of Procedure, the applicant generally has a maximum time limit of 10 minutes for their presentation, occurring after the Project Planner presents the staff report and recommendation. The chair will open the public meeting and ask if a member of the audience wishes to speak. Each speaker is typically allotted three minutes and after the conclusion of all speakers, the commission will discuss the case and take action or will announce the date of the next step. The commission may do one or a combination of the following depending on the complexity and the level of public comment on the application. It may close the hearing, leave the record open for subsequent written

comment, give direction to the applicant and staff or make a decision.

► **Board of Appeals**

The Board of Appeals is charged with the responsibility of hearing applications for Variances and Special Exceptions, and deciding appeals from administrative decisions. A CPDS senior planner is the primary staff contact for the Board of Appeals, which meets on the first Saturday of each month at 9:30 a.m. in City Hall.

► **Historic District Commission (HDC)**

The HDC is charged, under the provisions of Article 66B, Annotated Code of Maryland, and the Zoning Ordinance, with recommending to the Mayor and Council the boundaries of districts that are deemed to be of historic value in the City, and in deciding on applications for exterior changes and changes in environmental settings of locally-designated historic districts, known as Certificates of Approval. The HDC, composed of five appointed commissioners, meets on the third Thursday of each month in City Hall, usually at 7:30 p.m. The primary staff contact for HDC Agendas is the staff liaison in CPDS.

► **Sign Review Board**

The Sign Review Board hears and decides variance applications pertaining to the sign regulations as set forth in Section 25.04.05 and Article 18 of the Zoning Ordinance. The primary staff contact for the Sign Review Board is the designee of the Chief of Planning.

► **Chief of Planning**

The Chief of Planning has all the powers and duties conferred and imposed on the Chief of Planning in the Zoning Ordinance including, but not limited to:

- ◆ Acting as clerk of various boards and commissions, where provided in the Zoning Ordinance;
- ◆ Determining whether unclassified uses not specifically listed in the land use table are similar to other uses listed in the land use tables and consistent with the intent of the Zoning Ordinance;
- ◆ Interpreting the provisions of the Zoning Ordinance in accordance with Section 25.6.04;
- ◆ Reviewing and acting on administrative adjustments in accordance with Section 25.06.05;
- ◆ Reviewing applications for occupancy permits and temporary occupancy permits for purposes of determining, and advising the Chief of Inspection Services, whether all zoning requirements have been met; and
- ◆ Reviewing and acting on Level 1 Site Plan applications in accordance with the provisions of Article 7 in the Zoning Ordinance.
- ◆ Acting as clerk of the Sign Review Board
- ◆ Administering temporary use permits and sign permits in accordance with Section 25.09.04 and Article 18, respectively, of the Zoning Ordinance.

► **Chief of Inspection Services**



The Chief of Inspection Services has all the powers and duties conferred and imposed in the Zoning Ordinance, including, but not limited to:

- ◆ Coordinating the authorization of City departments for the issuance of permits authorized by the Building Code, as contained in Chapter 5 of the Code

► **Other Commission or Board Reviews for Certain Projects.**

In rare circumstances, the DRC or the Planning Commission may refer applications that are unique or challenging to another commission or board such as, but not limited to, the Traffic and Transportation Commission or the Recreation and Parks Advisory Board. Such meetings are public, and the applicant is instructed to attend those meetings as well.

**Agenda Packets and Postings.** Any application that is processed through an Approving Authority (other than the Chief of Planning or Inspection Services) will result in a staff report and recommendation that will be drafted and coordinated by the Project Planner. There may be several applications on the agenda. All staff reports and other information relevant to the agenda will be distributed as an “agenda packet” to the respective Approving Authority approximately one week prior to their meeting. Immediately after the packet is distributed to the members, the applicant will also receive a copy of the agenda and the staff report for their application. The agenda and packet are posted on the City’s website on the same day.

**Meeting Packet Posted**

- Mayor and Council five days (Thursday) before meeting
- Planning Commission seven days (Wednesday) before meeting
- Board of Appeals eight days (Friday) before meeting
- Historic District Commission seven days (Thursday) before meeting
- Sign Review Board N/A

## Decision Phase

**Decision Letter.** Following the decision of an Approving Authority, the Project Planner will draft either a letter of approval, including conditions where applicable, or a letter of denial to be sent to the applicant. Decision letters will be reviewed by the City Attorney and signed by the Chief of Planning. The decision letter must then be signed by the applicant to acknowledge acceptance of conditions and returned for inclusion in the file.

Applications requiring a decision by Mayor and Council will be rendered and documented by a resolution. Once signed by the City Clerk, the Project Planner will provide a copy of the resolution to the applicant.

**Signature Sets of Approved Site Plans.** Where applicable, the applicant must submit a signature set of plans that incorporates required changes in accordance with the conditions of approval and/or Planning Commission Exhibits A and/or B. Planning Commission Exhibit A is the Site Plan exhibit from the Planning Commission meeting that is marked with necessary changes approved by the Commission. Exhibit B is the

corresponding Landscape and Lighting Plan exhibit. Signature sets must be submitted for staff review within 30 days of the decision letter. Neither DPW permits nor building permits will be issued until the signature sets are received and approved by CPDS. The Project Planner and/or Chief of Planning will verify signature sets for compliance with approval conditions and distribute them to relevant DRC departments for reference.

## Chapter 4

# Community Information and Notice

## Written Notice

Applicants who submit Site Plan, Project Plan or Special Exception applications are required to provide written notice of all required Area Meetings, public meetings and meetings that will be held by an Approving Authority, e.g., the Planning Commission, Board of Appeals or Mayor and Council. See the Zoning Ordinance flowcharts and Figure 2 for more information on Area Meetings, briefings and public hearings/meetings.

Depending on the application, public notification is accomplished by a combination of actions by the applicant and the City. General requirements are found in Section 25.05.03 of the Zoning Ordinance, which refers to newspaper, signage and written notice. Another important component of public notification is the required Area Meetings, discussed in this manual.

It is the applicant's responsibility to ensure that written notice is sent to all property owners, residents, civic, community, condominium and homeowner associations within the specified distance for each type of application (See Insert).

Notices must be sent at least two weeks prior to any public meeting or hearing for each type of development application. When the applicant sends notification of a pending meeting and/or public hearing, the applicant must provide an affidavit accompanied by a CD containing a word or excel file, including a complete mailing list (in alphabetical order) of properties/addresses where notices were sent/mailed. A map of the site area of the mailings must accompany said affidavit and the mailing list, and be submitted to the Project Planner.

**Required Content of Mailing Notices.** The applicant is required to include the following information in written notices:

- The name of the applicant and application number;
- The date, time, and place of any scheduled Area Meeting, Development Review Committee\* meeting; public hearing or meeting of an Approving Authority;

*\*Members of the public are welcome to attend and observe the meetings of the Development Review Committee. However no testimony or public comment will be allowed at the DRC meeting.*

*The Maryland State Department of Assessments and Taxation maintains the Real Property Data Base that can be used to obtain the names and addresses of all property owners. The address is: [www.dat.state.md.us](http://www.dat.state.md.us)*

### **Notification Distances by Application**

- **Level 1 Site Plans:**  
750 feet
- **Level 2 Site Plans:**  
1,250 feet
- **Project Plans:** 1,500 feet
- **Special Exceptions:**  
0-6 Points = 750 ft.  
7-15 Points = 1,250 ft.  
16 or More = 1,500 ft.
- **Preliminary Plan of Subdivision, Final Record Plat and Local Map Amendment** are 750 feet.

*(NOTE: These distances are a straight-line distance measured from all property lines of the subject parcel.)*

*The City (CPDS) provides written notice for Administrative Adjustments, Sectional Map Amendments, Text Amendments, Street Closing and Abandonments and Variances. The applicant provides written notice for all other applications.*

- A description of the property that is the subject of the application by street address or, if no street name or number is available, by another general location description;
- The nature, scope, and purpose of the application;
- Brief description of the project;
- How interested parties may be heard or otherwise submit their written comments on the application; and
- Where additional information on the application/proposed development may be obtained, to include the phone number for CPDS; and,
- The following information must be included in the notification packet:
  - A copy of the “Citizens Guide to Development Review in Rockville” available from the City’s website at: [www.rockvillemd.gov/government/guide-to-development-review\\_printable.pdf](http://www.rockvillemd.gov/government/guide-to-development-review_printable.pdf)
  - Anticipated Timeline of the Project;
  - Location Map;
  - Site Plan (if applicable)

**Please Note:** the failure to provide all of the required information with the public notification will result in a delay of the application process. If any notice is found to be deficient in the required information an additional notice will be required which may result in a failure to meet the targeted meeting date.

In addition to the above referenced requirements, applicants for Level Two site plans and project plans must send electronic notice to **all** homeowners associations and civic associations within the City. This list will be provided by City Staff. While every effort will be made to ensure that this list is up-to-date, there may be some instances where the contact information has changed without the City’s knowledge.

**Civic, Community, Condominium and Homeowner Associations.** In addition to the list of property owners obtained from the state database and tenants, the applicant must mail or deliver notice to civic groups and building tenants. The applicant must obtain a list of civic, community, condominium and homeowner associations from staff. At staff’s discretion, this list may be expanded for large or unusually shaped properties.

**City of Rockville, Community Planning and Development Services.** The notification list must include the Project Manager from the Community Planning and Development Services Department.

**Signs.** Most applications require the posting of a sign on the subject property. Requirements, including where to place the sign, are found in Section 25.05.03.d of the Zoning Ordinance. Signs are provided by the City and must be posted by the applicant within five days of receipt. It is the applicant’s responsibility to keep the meeting dates current on the sign. On the day of every public meeting or hearing by an Approving Authority, the applicant must submit an affidavit to the Project Planner certifying that the sign has been posted and maintained in accordance with Zoning Ordinance requirements. A copy of the affidavit form is provided in Appendix N.

**Planning Academy**  
CPDS periodically provide a community presentation on the City’s Development Review process. The most recent presentation is available for viewing at “Rockville 11, Video On Demand, Special Programs” located on the City’s website at [www.rockvillemd.gov](http://www.rockvillemd.gov).

**Access to Information.** Pursuant to Section 25.05.05 of the Zoning Ordinance and subject to the Maryland Public Information Act, all application files are open to the public for inspection. Copies of materials will be provided on payment of copying charges in accordance with City policy. Files may be viewed at the CPDS Department, City Hall, second floor, during regular business hours.

**Note:** Please follow the letter templates in Appendix “J” and “K” as closely as possible. It is important that the meeting information be provided as succinctly and clearly as possible.



## Chapter 5

# Types of Development Applications and Summary Procedures

### Application Types:

- Single-Unit Dwellings
- Administrative Adjustment
- Nonconforming Alterations
- Variance
- Site Plan
- Site Plan Amendments
- Project Plan
- Special Exception
- Preliminary Subdivision Plan
- Final Record Plat
- Historic District Certificate of Approval and Courtesy Review
- Text Amendment
- Local Map Amendment Annexation
- Annexation
- Street Closing/Abandonment

### Single Unit Dwellings

Single-unit dwellings in a Single-Unit Dwelling Residential Zone on a record lot do not require approval of a Site Plan but do require approval of a building permit and any related permits, such as plumbing and electrical permits. Single-unit dwellings may proceed directly to building permit application unless they need a Variance, a Nonconforming Alteration approval, or are located within a historic district. Any

demolition also requires a separate permit and a review for possible historic significance before a building permit can be issued.

In the R-60, R-75 and R-90 zones, there are provisions in the Zoning Ordinance regarding building height (Sec. 25.10.09). In these zones, houses may be built up to 35 feet high, measured to the mid-point of the gable of the roof. However, the height to the peak cannot exceed 40 feet. The height is to be measured from the pre-existing grade at the front of the building.

In addition, the Zoning Ordinance imposes limitations on the amount of impervious surface allowed in the front yard. The development standards table in Sec. 25.10.05 provide these allowed percentages in the different zones.

## Administrative Adjustment

**Purpose.** Administrative Adjustment is a process in which the Chief of Planning is authorized to grant adjustments to the setback, landscaping and lot coverage requirements in the single-unit dwelling residential zones.

**Application Requirements.** The following materials are required for Administrative Adjustment applications:

- The application and filing fee;
- A statement addressing the findings contained in Subsection 25.06.05.e;
- Elevations or photos of the proposed structure;
- A house location survey that includes existing and proposed improvements; and
- Any additional information and plans necessary to provide for review of the application.

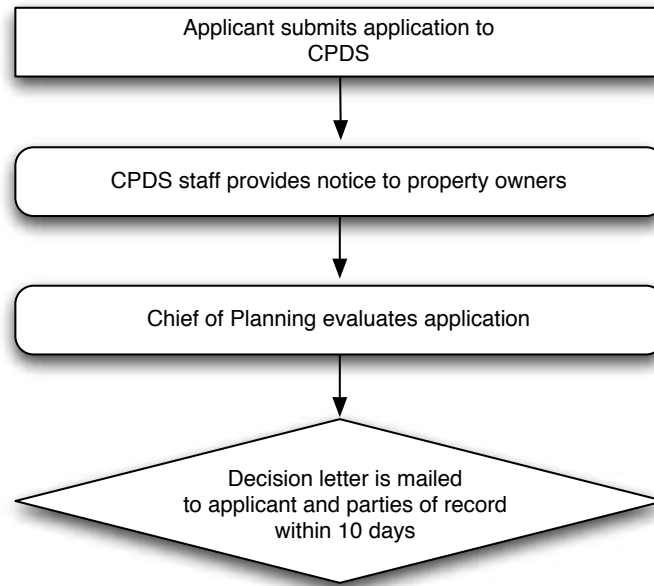
**Notice Requirements.** The CPDS staff sends notice in accordance with Section 25.05.03.

**Processing Time.** The Chief of Planning will render a decision on the application within 30 days.

**Applicable Sections of the City Code.** Zoning Ordinance Section 25.06.05



**Administrative Adjustment**  
***Zoning Ordinance: Article 6: Section 25.06.05***



**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

**Acronyms used**

**CPDS:** Community Planning and Development Services

## Nonconforming Alterations

**Purpose.** Nonconforming Alteration applications are required in the case of an alteration to a structure that either contains a nonconforming use, or if the structure itself is nonconforming. A nonconformity is a once-legal use or development that no longer meets the use and development standards (height limits, setbacks, etc.), under the current Zoning Ordinance. Depending on the level of Nonconforming Alteration requested, either the Chief of Planning or the Planning Commission shall conduct the review and approval.

Provisions pertaining to nonconformities and nonconforming alteration approvals are contained in Sec. 25.08.04 and 25.08.08 of the Zoning Ordinance. In brief, the Chief of Planning review is intended to address expansions of nonconforming uses to those parts of a building that were specifically designed or arranged for such use. The Chief of Planning shall also review modifications of nonconformities for detached or semi-detached single-unit dwellings.

The Planning Commission review is designed to address expansions, modifications or structural alterations to a structure or premises occupied by a nonconforming use, other than a detached or semi-detached single-unit dwelling. The Planning Commission shall also review any change to a nonconforming building or structure in compliance with the requirements of the Zoning Ordinance that involve a physical change to the exterior part of the building or structure that is nonconforming.

**Application Requirements.** Nonconforming Alteration applications must be submitted to CPDS and contain the following materials:

- A site plan drawn to scale showing locations of existing and proposed buildings, yards, driveways, and parking areas and the proposed alteration;
- Floor plans showing the location of uses in the structures and on the site; and
- The applicable Approving Authority may require such other information as.

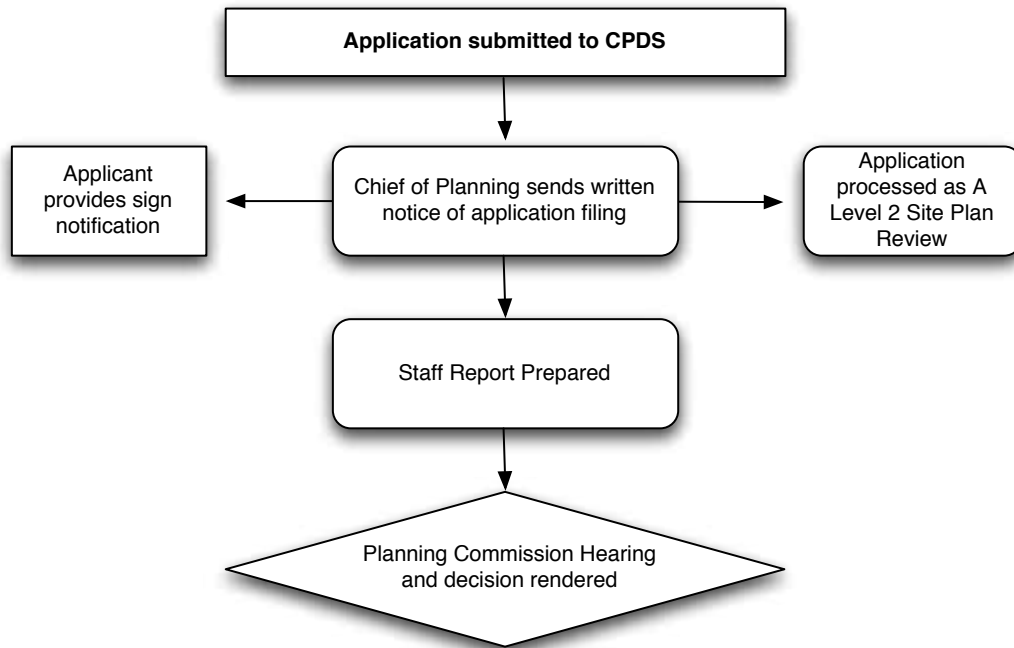
**Chief of Planning Review Procedure.** Nonconforming Alterations requiring Chief of Planning review must be submitted and processed as a Level 1 Site Plan. A decision letter will be provided within 30 days.

The Chief of Planning must send written notification of the application filing in accordance with the provisions of Section 25.05.03.c. A sign must be posted on the property in accordance with the requirements in Section 25.05.03.d.

**Planning Commission Review Procedure.** Nonconforming Alteration applications requiring Planning Commission review according to Section 25.08.08.a.2. must be submitted and processed as a Level 2 Site Plan review.

The applicant must provide notice of the public hearing in accordance with the provisions of Section 25.05.03.c. and d.

**Applicable Sections of the Rockville City Code.** Zoning Ordinance Section 25.08.08

**Non-Conforming Alteration: Planning Commission Review***Zoning Ordinance: Article 8: Section 25.08.08.a.2*

**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

**Acronyms used**

**CPDS:** Community Planning and Development Services

## Variance

**Purpose.** To allow modifications of the lot, area or bulk development standards contained in the Zoning Ordinance. Variances are granted by the Board of Appeals. The Planning Commission makes a recommendation on nonresidential variances, while staff authors a staff report and recommendation for both types.

Application requirements include:

- The application and filing fee;
- Elevations of the proposed structure;
- A house or building location survey or site plan that includes existing and proposed improvements;
- Copies of the house or building location surveys for the surrounding properties or a site plan that depicts the abutting improvements; and
- Any additional information and plans necessary to provide for comprehensive review of the application.

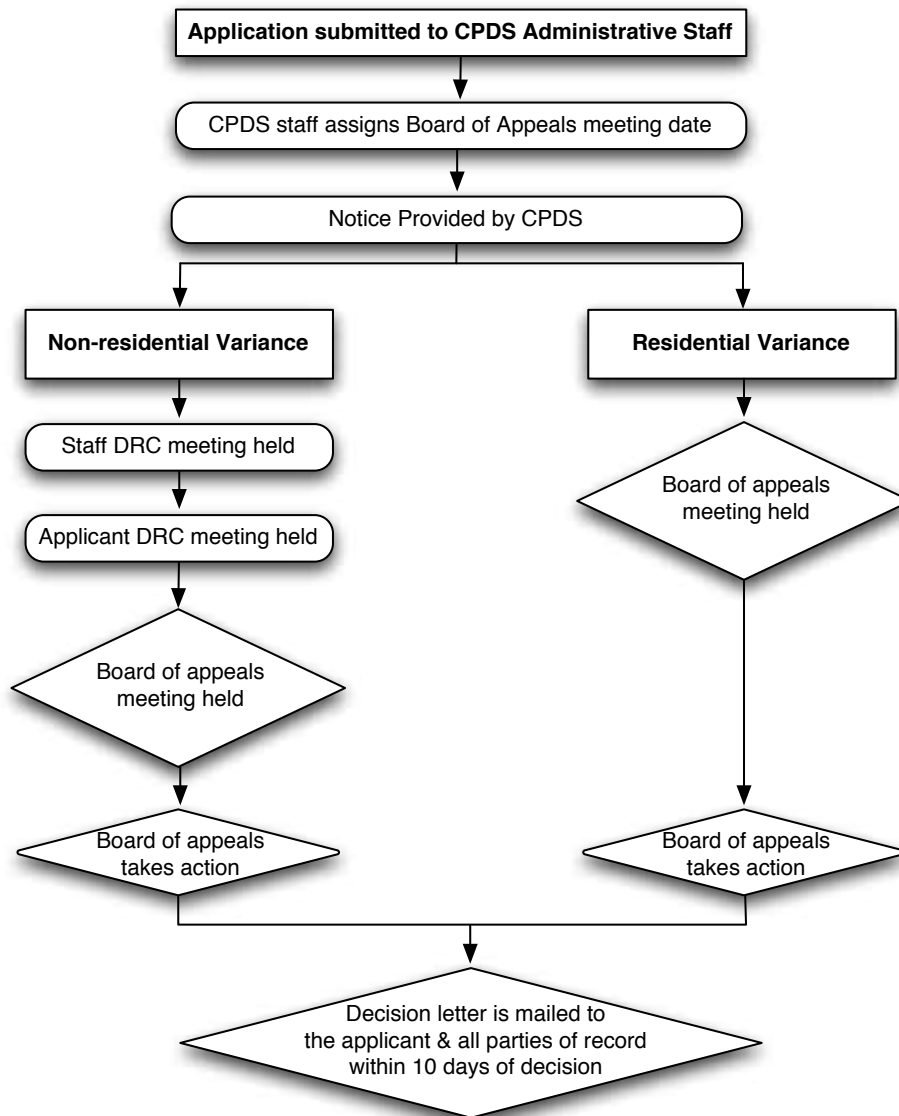
**Notification Requirements.** Notice is sent by CPDS as provided for in Sections 25.05.03.c. and d.

**Processing Time.** Processing time is approximately two months for residential Variances and approximately three months for non-residential Variances.

**Applicable Sections of the Rockville City Code.** Article 25.06.03 of the Zoning Ordinance

## Variance

### Zoning Ordinance: Article 6: Section 25.06.03



**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

#### Acronyms used

**CPDS:** Community Planning and Development Services  
**DRC:** Development Review Committee

## Site Plan

**Purpose.** The Site Plan process evaluates proposed development or use for compliance with requirements of the Zoning Ordinance and other applicable development standards, regulations and policies. No Building Permit, Occupancy Permit, or Right-of-Way Construction Permit shall be issued prior to Site Plan approval where such approval is required.

**When Site Plan Approval is Required.** The level of review for each Site Plan application is based on a point system or PIPS, provided in the Zoning Ordinance under Subsection 25.07.02.b. Each application must be evaluated on site acreage, the number of dwelling units proposed, the proposed square footage of non-residential space, the residential impact area and the traffic impact of the proposed development. Each of these items is assigned a point value, which is combined to determine the total point value for the project. See Appendices B-D for more information about how to calculate point totals.

Conditions may be attached to the approval of a Site Plan to ensure that the proposed use will be consistent with the purpose and intent of the Zoning Ordinance. Site Plans may be amended through a separate process to allow for major and minor deviations from approved plans, in accordance with the Zoning Ordinance.

**When Site Plan Approval is NOT Required.** A Site Plan is not required for single-unit detached or semi-detached residential structures and related accessory buildings on a record lot in Single-Unit Dwelling Residential Zones, and uses allowed by temporary permit. Residential subdivisions for single-unit detached and semi-detached structures are created via the Preliminary Plan and Final Record Plat processes as required.

**Notification.** Public notification and information about development applications is important. Section 25.05.03 outlines the notification requirements including written notice, signs, affidavits and conduct of area meetings. In addition to the ordinance requirements, Appendices I-N provides helpful materials related to notice requirements.

**Processing Time.** The estimated processing time for Site Plan review is as follows:

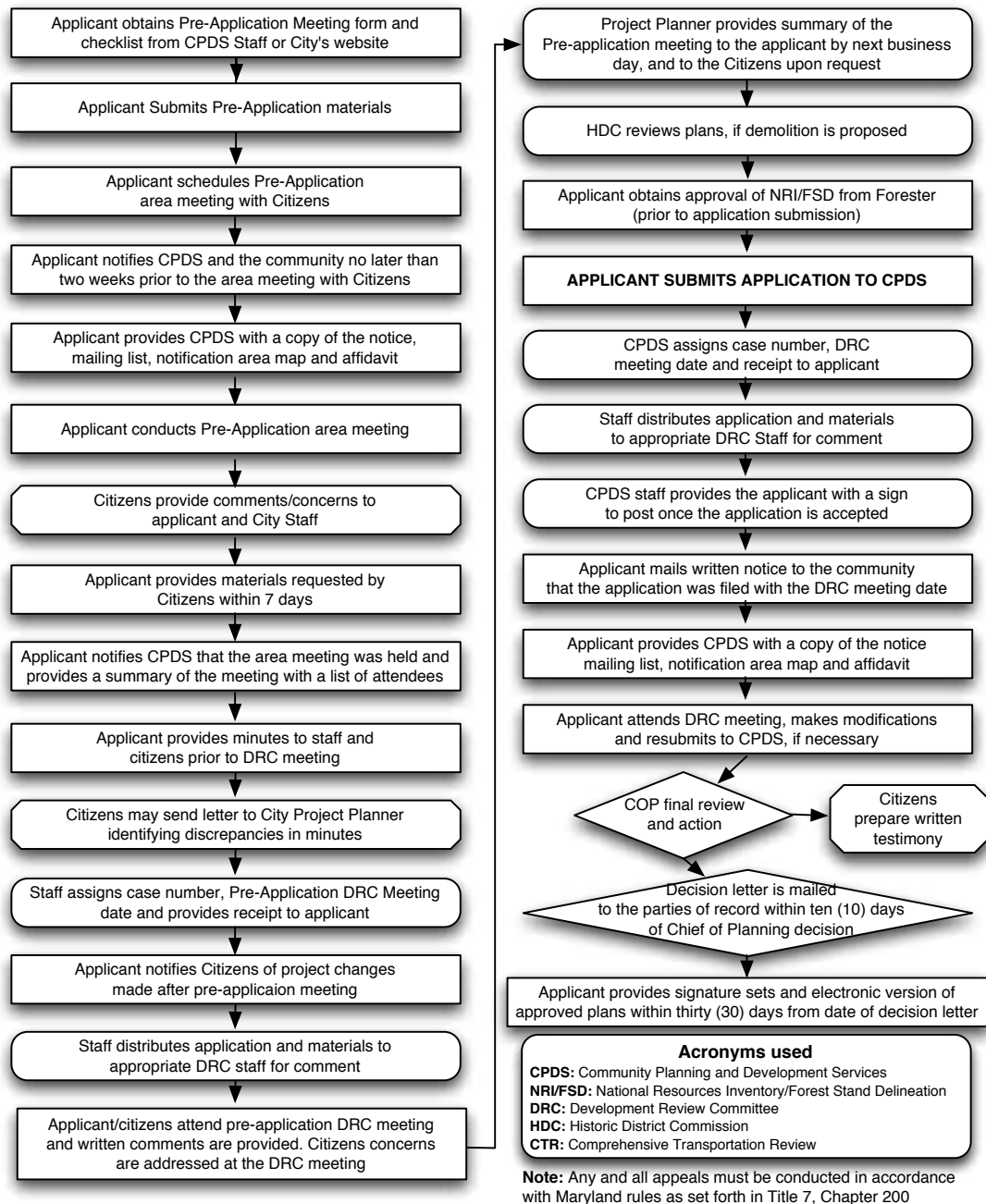
- Level 1: 5 months
- Level 2: 7 months

**Implementation Period.** A Site Plan approval by the Planning Commission or the Chief of Planning expires if construction does not begin pursuant to a valid building permit within two years of the effective date of approval. Additional provisions are codified for multi-phase or multi-building Site Plans. Extensions may be requested through the Approving Authority.

**Applicable Sections of the City Code.** Article 7 of the Zoning Ordinance building Site Plans.

## Level 1 Site Plan

### Zoning Ordinance: Article 7: Section 25.07.04



## Site Plan Amendments (STP)

**Purpose.** Amendments to approved development approved as a Site Plan (or approved as a Use Permit under the previous Zoning Ordinance) must be reviewed and approved subject to Section 25.05.07. There are two types of Site Plan amendments: Minor and Major.

**Minor Site Plan Amendment.** The purpose of the Minor Site Plan Amendment is to allow for amendments resulting in a minimal effect on the overall design, layout, quality, or intent of the plan and is limited to: (1) minor adjustments due to site engineering; (2) parking or loading area; (3) landscaping, sidewalks, recreational facilities, recreational area, public use space, or open area in a manner that does not alter basic elements of the site plan. Additionally, a change in the types of uses on a site that is in conformance with the findings of the initial approval and does not increase the parking requirement may also be approved as a minor amendment.

Minor amendments are not subject to the notice provisions of Section 25.05.03 or Article 7. Minor Site Plan Amendments may be circulated to the DRC on an as-needed basis. Any application for an amendment which does not significantly deviate from the terms and conditions of the original approval and would effectively carry out the intent of the Approving Authority's original approval may be considered and acted upon by the Chief of Planning, in accordance with the Zoning Ordinance.

**Major Site Plan Amendment.** The purpose of the Major Site Plan Amendment is to account for an amendment that is too significant to be a minor change, but is not so substantial as to require an entirely new application for approval. Major amendments include, but are not limited to, an increase in height of any building, an increase to the floor area of any non-residential building, and an increase in density.

Where the Chief of Planning determines that a requested change is too significant to be a minor amendment, but is not so substantial as to require an entirely new application for approval, the requested change must be reviewed and approved by the original Approving Authority as an amendment to the original development approval. An application for a Major Site Plan Amendment is subject to such notice and procedural requirements as set forth in Section 25.07.03, and are processed as a Level One or Level Two Plan depending on the initial approving authority.

**Substantial Changes Requiring a New Application.** Where the requested change to an approved development is so extensive as to amount to a comprehensive change to more than 50 percent of the project area, or to otherwise change the essential character and impact of the development, such change can only be made through the filing of an entirely new application for approval.

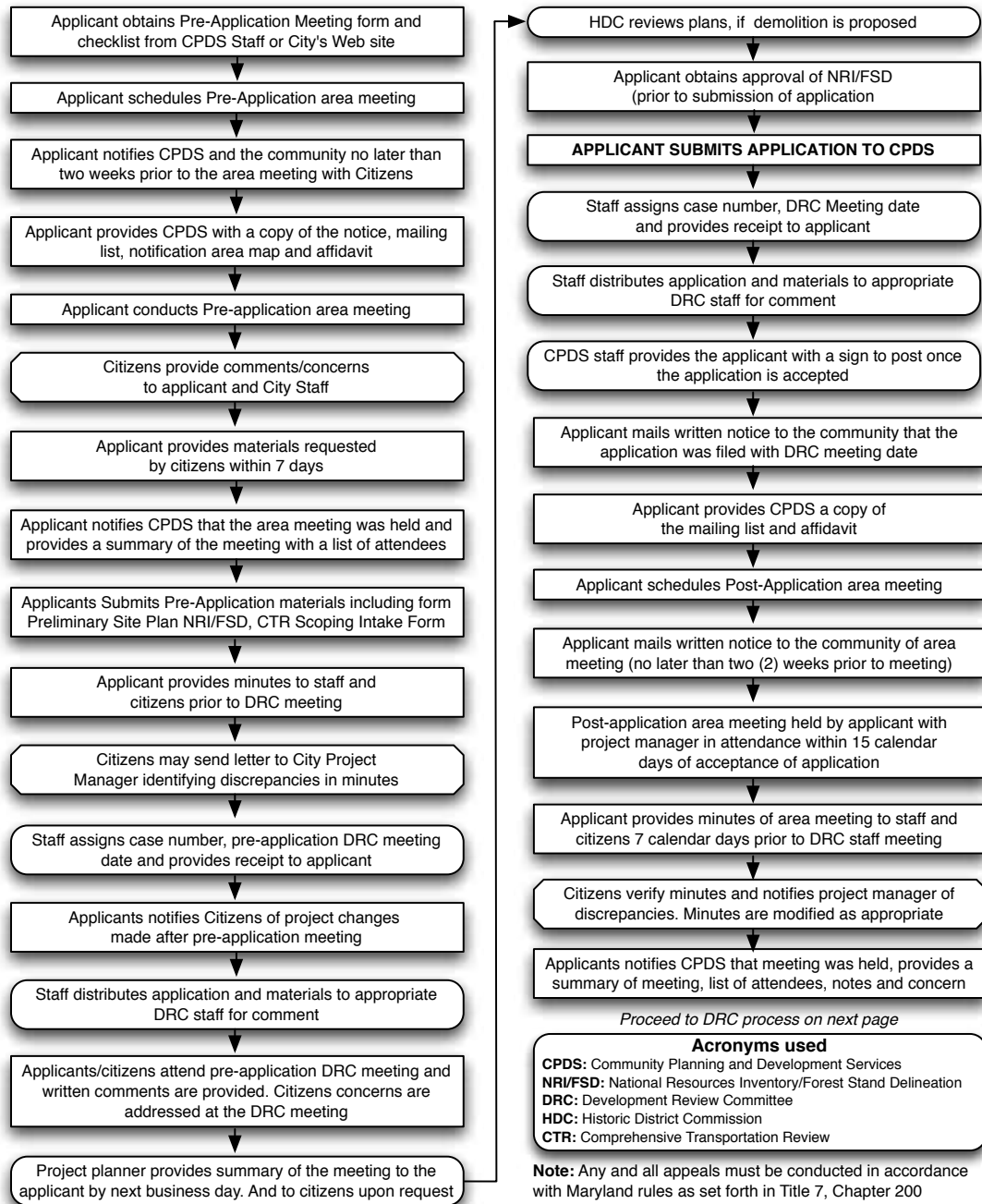
**Processing Time.** Most minor amendments will take three to four weeks to process while major amendments may take up to three months.

**Applicable Sections of Rockville City Code.** Section 25.05.07 of the Zoning Ordinance



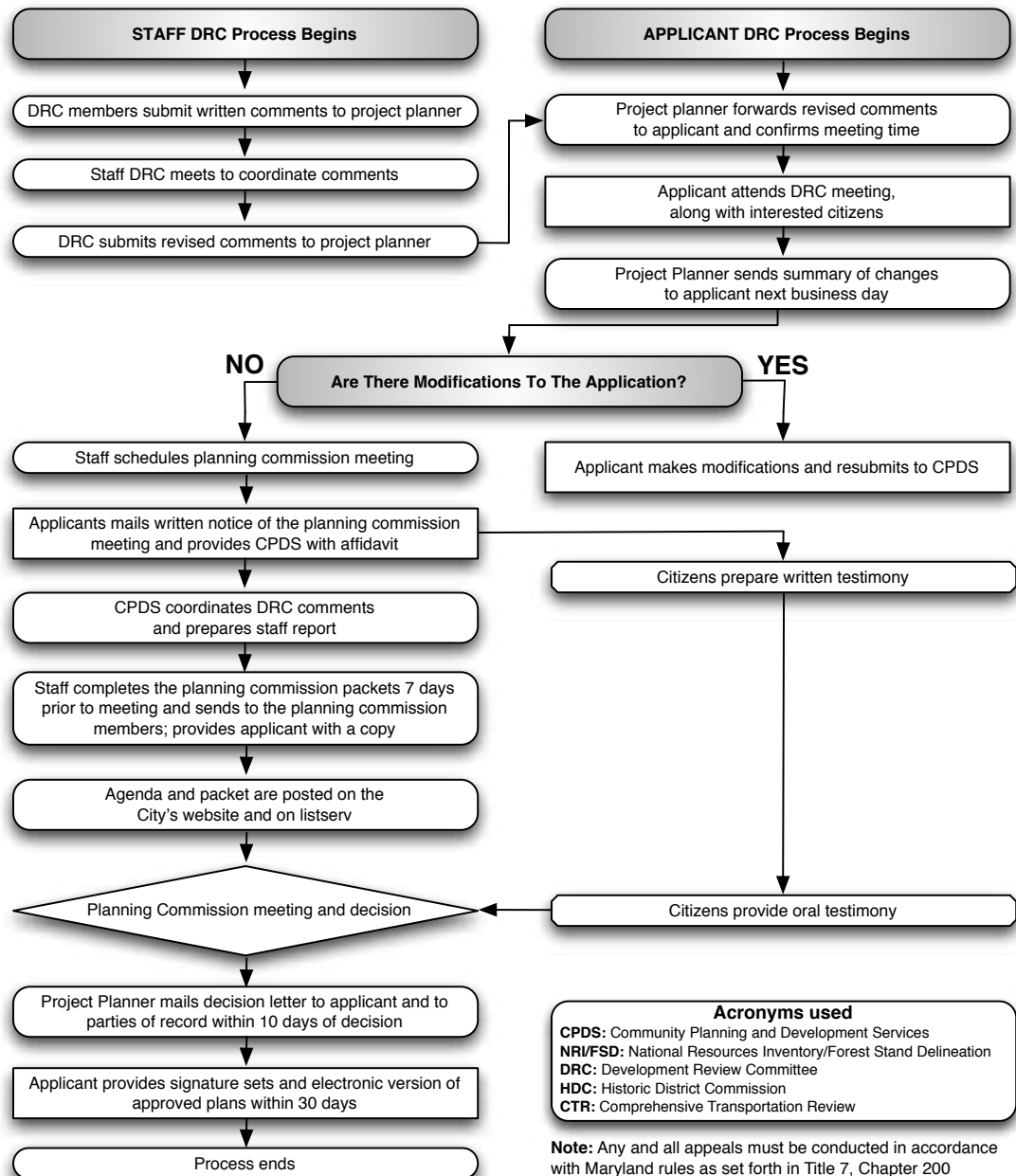
## Level 2 Site Plan

### Zoning Ordinance: Article 7: Section 25.07.05



## Level 2 Site Plan Continued

### Zoning Ordinance: Article 7: Section 25.07.05



## Project Plan

**Purpose.** A Project Plan application is required for a development proposal with a point value of 13 or more, per Section 25.07.02.b. The Project Plan application seeks conceptual approval of a large development project based on impact. Its approval determines the parameters by which the project may be built. A Level 2 Site Plan application must be submitted to implement the approved Project Plan.

The level of review for each Site Plan and Project Plan application is based on a point system; (PIPS) provided in the Zoning Ordinance under Subsection 25.07.02.b. Each application must be evaluated on site acreage, the number of dwelling units proposed, the proposed square footage of non-residential space, the residential impact area and the traffic impact of the proposed development. Each of these items is assigned a point value, which is combined to determine the total point value for the project. See Appendices B-D for more information about how to calculate point totals.

**Public Notification.** Section 25.05.03 outlines the notification requirements including written notice, signs, affidavits and conduct of area meetings. In addition to the ordinance requirements, Appendices I–N provide helpful materials related to notice requirements.

**Processing Time.** The Project Plan process time is dependent on meeting times, number of revisions/resubmittals and applicant response to staff and community comments. Generally, Project Plan applications will take between nine months and one year to process.

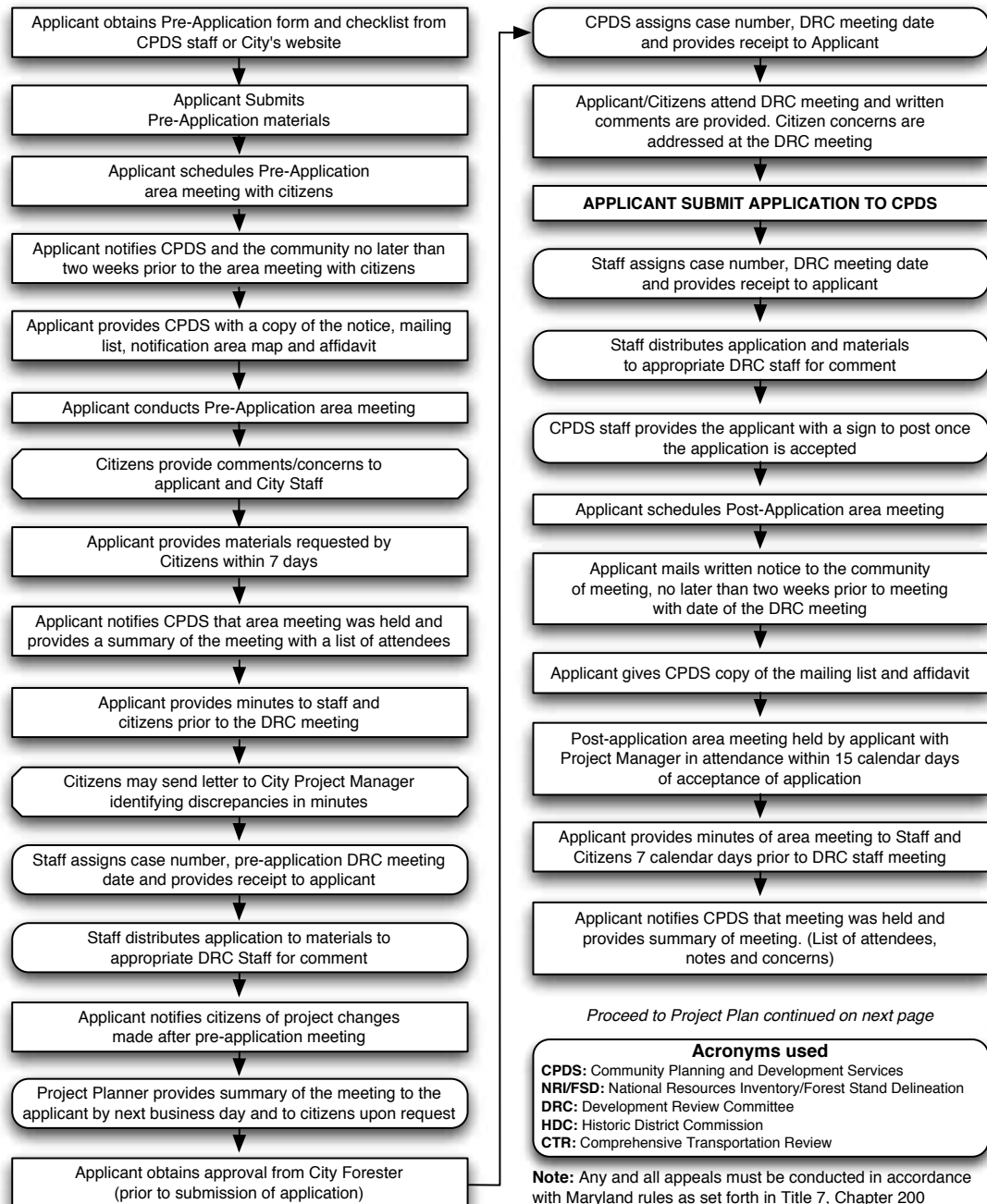
**Implementation Period.** Unless otherwise provided in the Mayor and Council approval, a Project Plan approval expires if a Level 2 Site Plan application implementing all or a portion of a Project Plan is not filed within six months of the approval date. The Mayor and Council may, for good cause shown, grant no more than two time extensions, not to exceed six months each, of the initial implementation period. Such extensions are subject to Section 25.05.08, “Extension of Implementation Period.”

Unless an alternative phasing schedule is established by the Mayor and Council in the Project Plan approval, all phases of a multi-phase project must begin within eight years from the date of the Mayor and Council resolution, or Project Plan approval will expire. A Project Plan approval will become void for those buildings in a multi-building development for which a building permit has not been obtained and construction has not begun within eight years.

**Applicable Sections of the Rockville City Code.** Section 25.07.08 of the Zoning Ordinance.

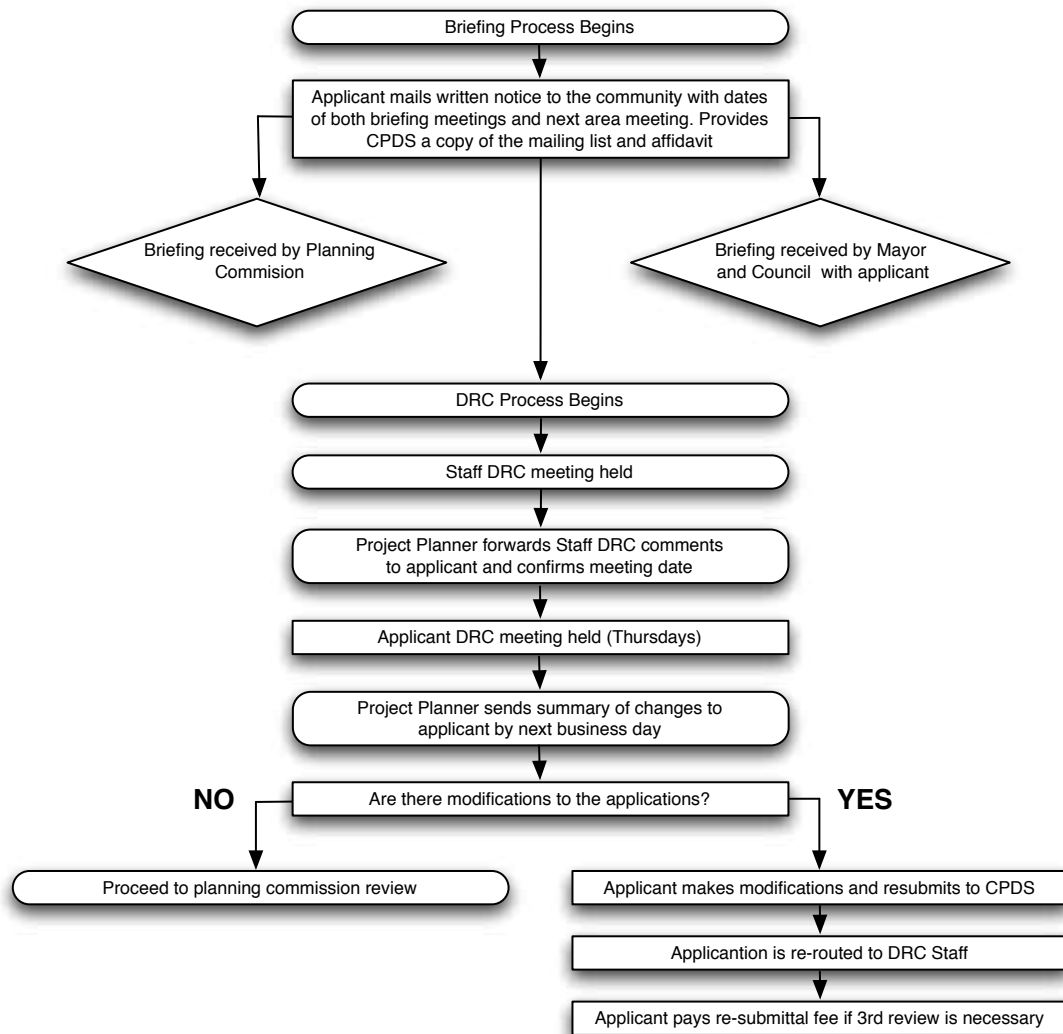
## Project Plan

### Zoning Ordinance: Article 7: Section 25.07.07



## Project Plan Continued

### Zoning Ordinance: Article 7: Section 25.07.07



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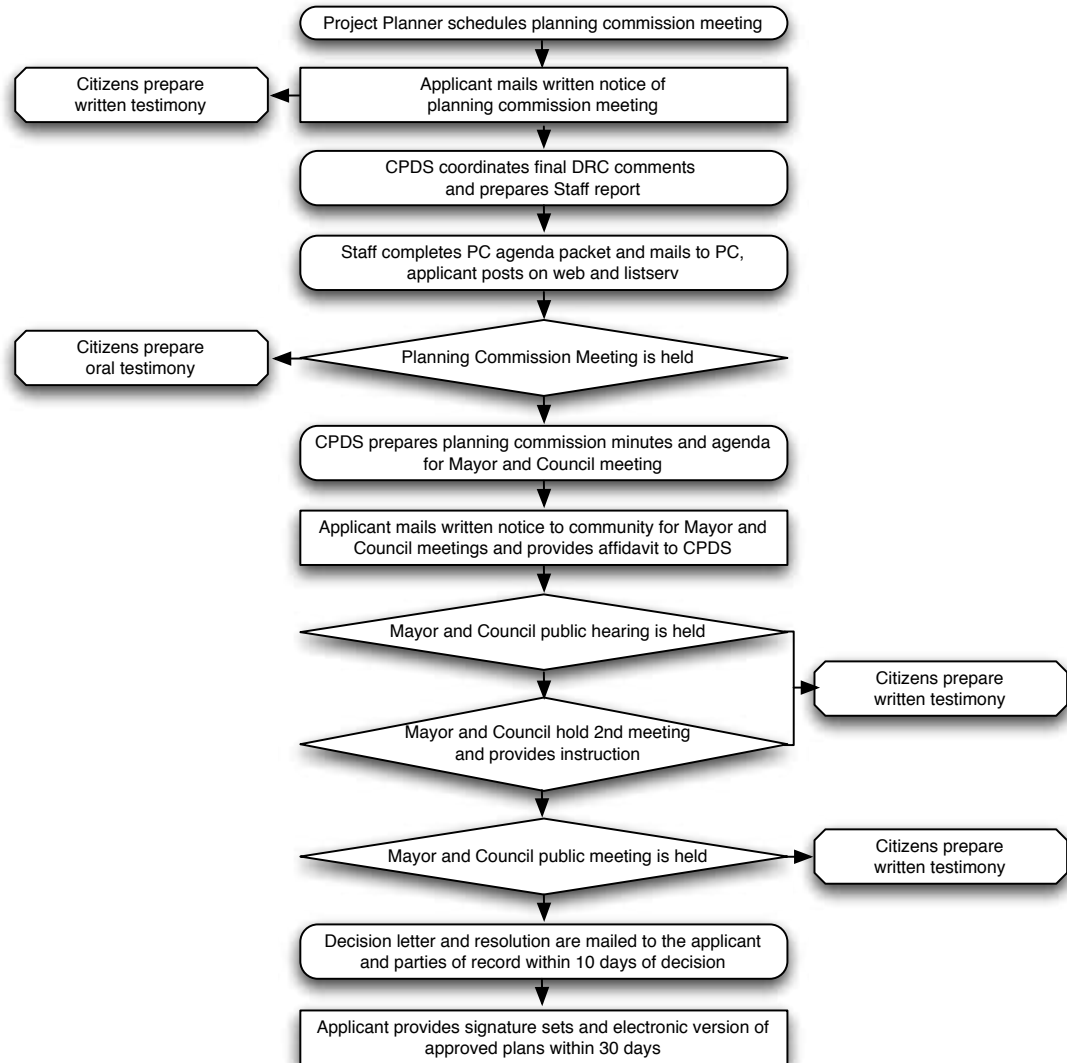
#### Acronyms used

**CPDS:** Community Planning and Development Services  
**NRI/FSD:** National Resources Inventory/Forest Stand Delineation  
**DRC:** Development Review Committee  
**HDC:** Historic District Commission  
**CTR:** Comprehensive Transportation Review

**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## Project Plan Continued

### *Zoning Ordinance: Article 7: Section 25.07.07*



#### Acronyms used

**CPDS:** Community Planning and Development Services  
**NRI/FSD:** National Resources Inventory/Forest Stand Delineation  
**DRC:** Development Review Committee  
**HDC:** Historic District Commission  
**CTR:** Comprehensive Transportation Review

**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## Special Exception

**Purpose.** The Land Use Tables in Articles 10-14 of the Zoning Ordinance identify those uses requiring a Special Exception. Special Exception applications are heard and considered by the Board of Appeals and require specific findings along with special conditions to be approved by the Board of Appeals. Article 15 of the Zoning Ordinance outlines procedures in more detail.

**Public Notification.** The applicant must provide notice, in accordance with Section 25.07.09.b., of the Board of Appeals public hearing and any revisions to the application. Similar to the areas of notice for Site and Project Plan applications, notices for Special Exceptions are based on the impact of the project according to the chart found in Section 25.07.02.b of the Zoning Ordinance.

For applications with zero to six points, mailed notices must be sent to all property owners and residents within 750 feet of the project area. For applications with seven to nine points, mailed notices must be sent to all property owners and residents with 1,000 feet of the project area. For applications with 10 to 12 points, mailed notices must be sent to all property owners and residents within 1,250 feet of the project area. For applications with 13 or more points, mailed notices shall be sent to all property owners and residents within 1,500 feet of the project area.

Within three business days of receiving the notification sign from CPDS, the applicant must post the sign on the property. The sign announces the public hearing date and describes the requested Special Exception.

**Implementation Period.** After approval of a Special Exception by the Board of Appeals, the proposed development is subject to subsequent Level 2 Site Plan review pursuant to the procedures in Section 25.07.04.

The approval of a Special Exception expires within two years if construction does not commence pursuant to a valid building permit within two years of the effective date. Two extensions may be granted, each not to exceed six months each. See Section 25.07.07 of the Zoning Ordinance.

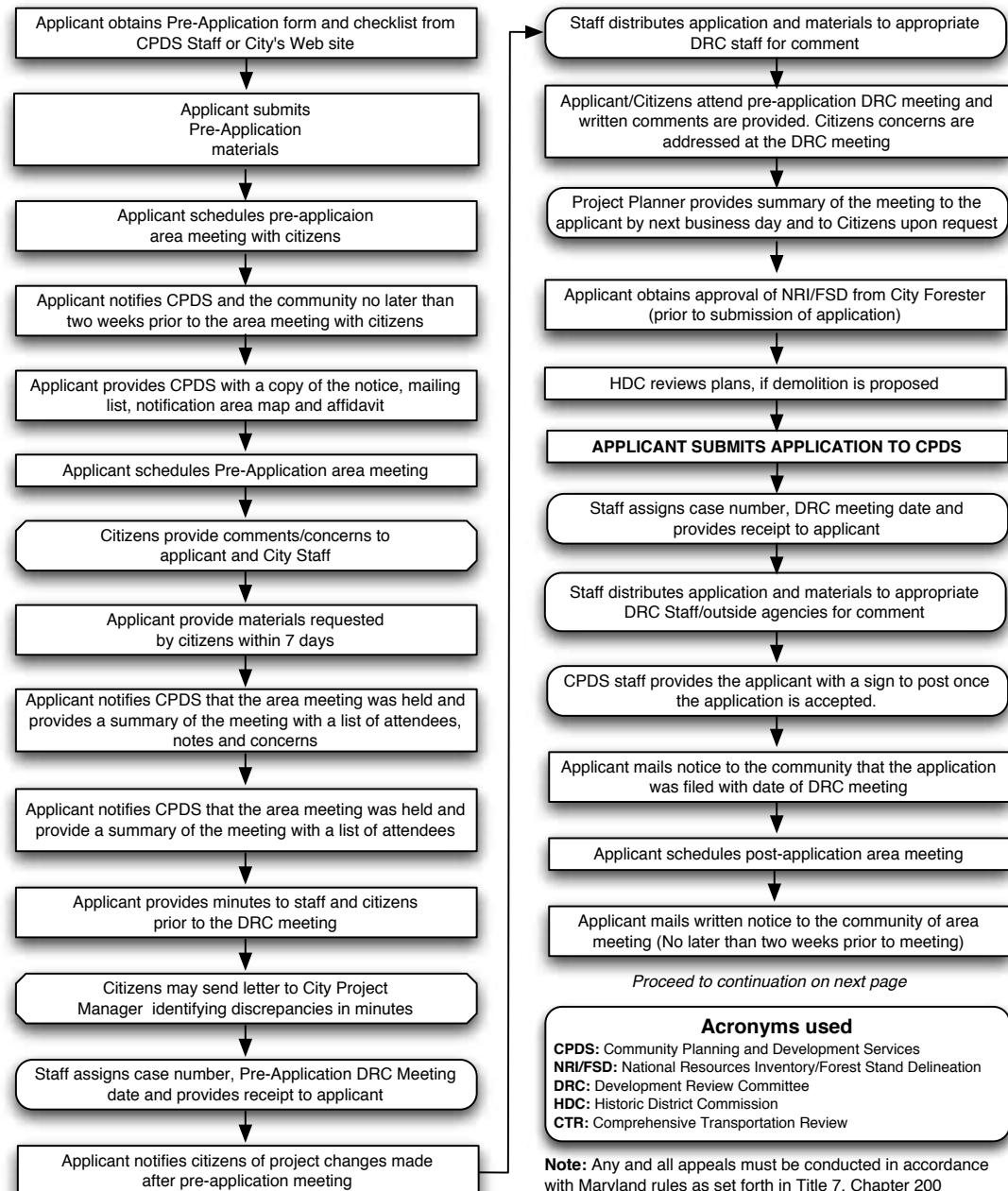
**Processing Time.** Per the Board's Rules of Procedure, application requests for non-residential Variances and Special Exception requests will be generally heard at the Board's first regularly scheduled public hearing that occurs a minimum of 60 working days following application submission.

**Special Exception Modifications.** An application may be filed to modify the terms or conditions of an approved Special Exception. The Zoning Ordinance provides for two processes: one for minor modifications and one for major modifications. See Sec. 25.15.01 of the Zoning Ordinance.

**Applicable Sections of the Rockville City Code.** Article 15 of the Zoning Ordinance

## Special Exception Application

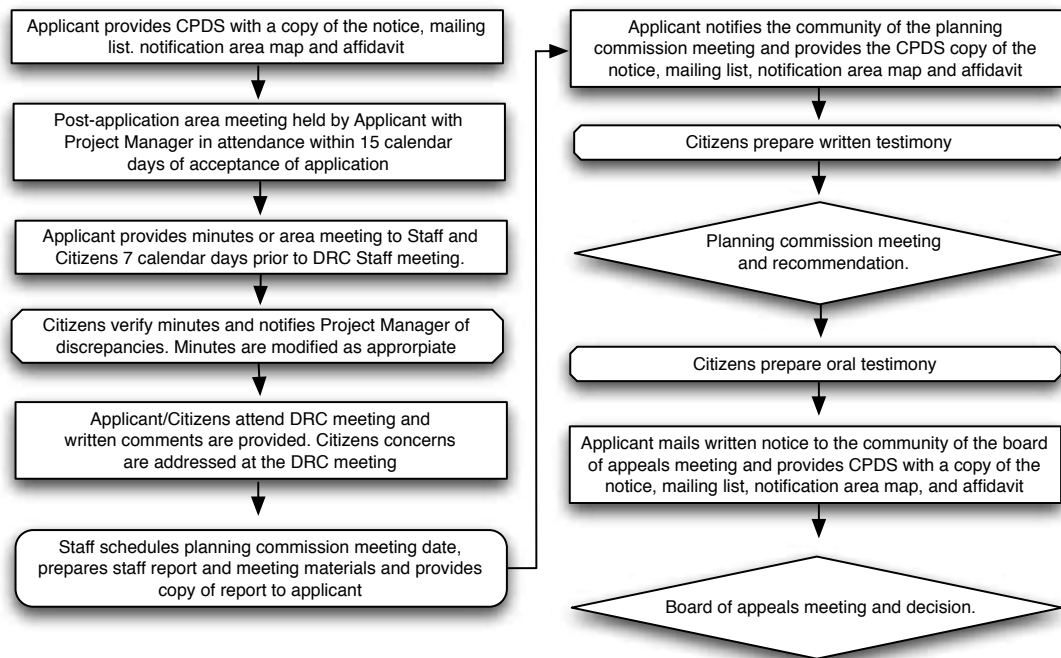
### Zoning Ordinance: Article 15: Section 25.07.08 and 25.15.01





## Special Exception Application Continued

### Zoning Ordinance: Article 15: Section 25.07.08 and 25.15.01



#### Acronyms used

**CPDS:** Community Planning and Development Services  
**NRI/FSD:** National Resources Inventory/Forest Stand Delineation  
**DRC:** Development Review Committee  
**HDC:** Historic District Commission  
**CTR:** Comprehensive Transportation Review

**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## Preliminary Subdivision Plan (PLT)

**Purpose.** Preliminary Subdivision Plans are required for subdivisions that contain more than three lots or require an extension of public facilities. During the process, staff analyzes the proposed lots to identify potential issues related to development. Some of the issues examined include, but would not be limited to, compatibility, historical significance, vegetation impact, sewer, water, grading and stormwater management.

**Application Requirements.** In order for the application package to be considered complete, the submission requirements itemized in Section 25.21.08 and noted on the application must be included in the submission. Applications for cluster development are processed in accordance with the Preliminary Plan procedures and must include a narrative of the proposed development and a justification for allowing the flexibility in lot size.

**Notification Requirement.** The applicant must send notice in accordance with the provisions contained in Subsection 25.05.03.c., within 750 feet of the boundary of the area described in the application.

**The Consideration Process.** Pursuant to Section 25.21.08.e (Planning Commission Action), the Planning Commission must act on the application within 60 days of the Preliminary Plan being deemed complete. The commission may approve, approve with conditions or disapprove of the application. Failure to act within 60 days constitutes approval of the Preliminary Plan, unless the applicant waives this requirement and consents to an extension or waiver. Pursuant to Section 25.21.08.f, a Preliminary Subdivision Plan will be approved if the Planning Commission finds that the proposed subdivision will not constitute a violation of any provision of this chapter or other applicable law; violate or adversely affect the plan; overburden existing public facilities, including but not limited to water, sanitary sewer, public roads, storm drainage, and other public improvements; adversely affect the health or safety of persons residing or working in the subdivision or neighborhood; and be unsuitable for the type of development, the use contemplated, and available public utilities and services, among other criteria. The commission may attach such conditions to the approval as may be reasonable and necessary to assure that the subdivision will be consistent with the purpose and intent of the Zoning Ordinance.

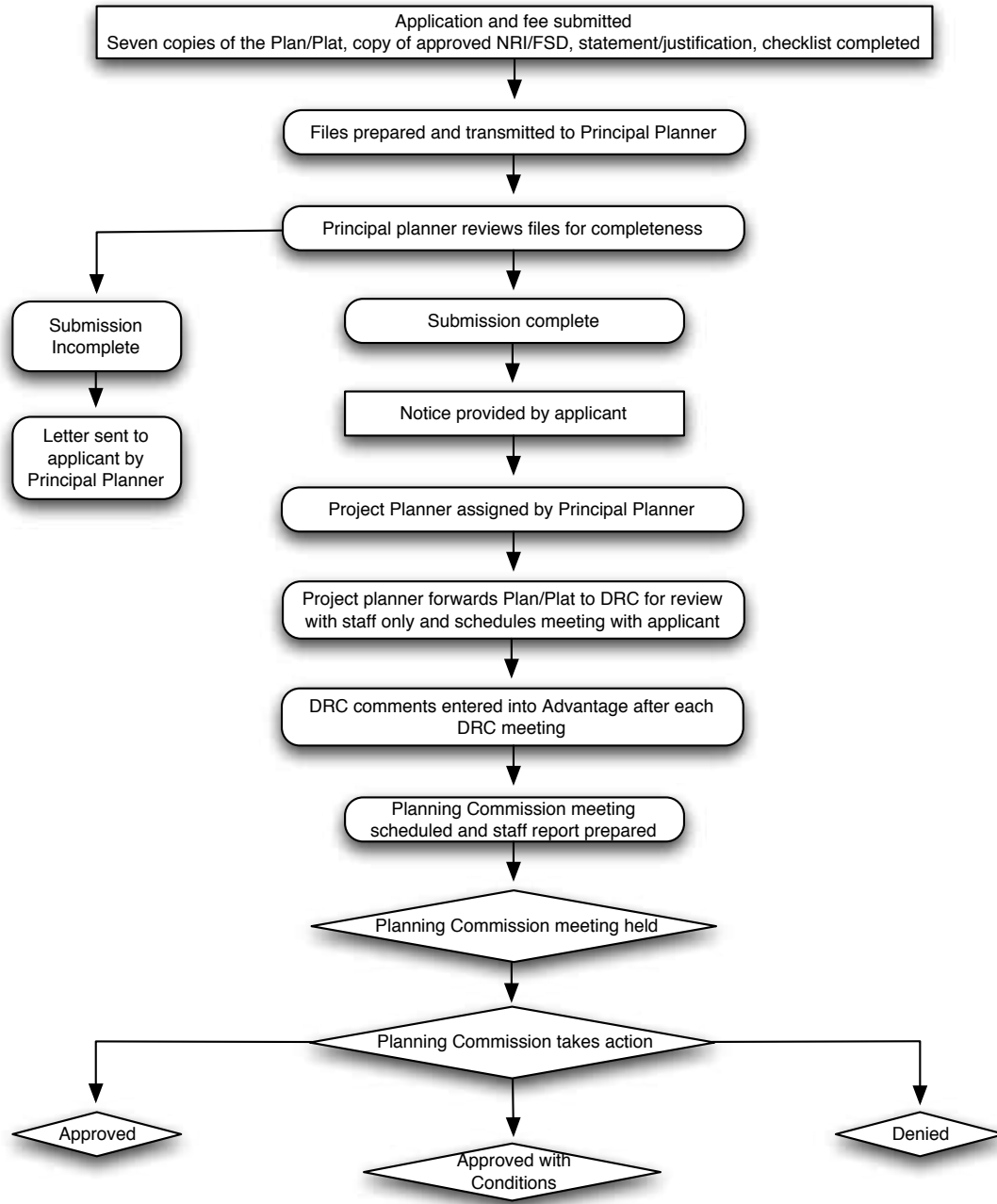
**Processing Time.** Unless granted a waiver by the applicant, failure to act upon a Preliminary Subdivision Plan within 60 days of submittal will result in the application being approved.

**Effective Period.** Pursuant to Subsection 25.21.11.b, a Final Record Plat must be filed within two years after approval of the Preliminary Subdivision Plan or the Preliminary Subdivision Plan expires for good cause shown, two Time Extensions not exceeding one year each may be granted by the Planning Commission.

**Applicable Sections of the Rockville City Code.** Article 21 of the Zoning Ordinance.

## Preliminary Subdivision Plan

### Zoning Ordinance: Article 25.21.09



**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

#### Acronyms used

**NRI:** National Resources Inventory  
**FSD:** Forest Stand Delineation  
**DRC:** Development Review Committee

## Final Record Plat (PLT)

**Purpose.** Final Record Plats or Subdivision Plats can be classified as an illustrated system of mapping and identifying lots that are recorded in the land records of the county. Properties shown on a plat of subdivision are given a lot and block designation that provides for a simplified legal description of the property, eliminating the need to describe the property with metes and bounds.

**Application Requirements.** In order for the application package to be considered complete, the submission requirements itemized in Section 25.21.10 and on the application form must be included in the submission package.

**Notification Requirement.** The applicant must send notice in accordance with the provisions contained in Section 25.21.11.d. Written notice must be sent by the applicant to all property owners and residents within 750 feet of the boundaries of the application. The notification must state that the interested parties have 15 days from the date of the letter to provide comments. A second notice must be sent 10 days prior to the Planning Commission action date.

**The Consideration Process.** Except where a Preliminary Plan is not required, the application must be submitted within two years of the approval of the Preliminary Plan, and may represent only a portion of the Preliminary Plan area. Pursuant to Section 25.21.11.g, the Planning Commission must act on the application within 30 days after accepting the complete application. The commission may approve or disapprove the application. Failure to act within 30 days constitutes approval of the Final Record Plat, unless the applicant waives this requirement and consents to an extension. If the Final Record Plat is approved and the applicant meets all conditions of approval, the plat is recorded in the Land Records of Montgomery County by the Planning and Zoning Division. The recorded plat formally subdivides the property.

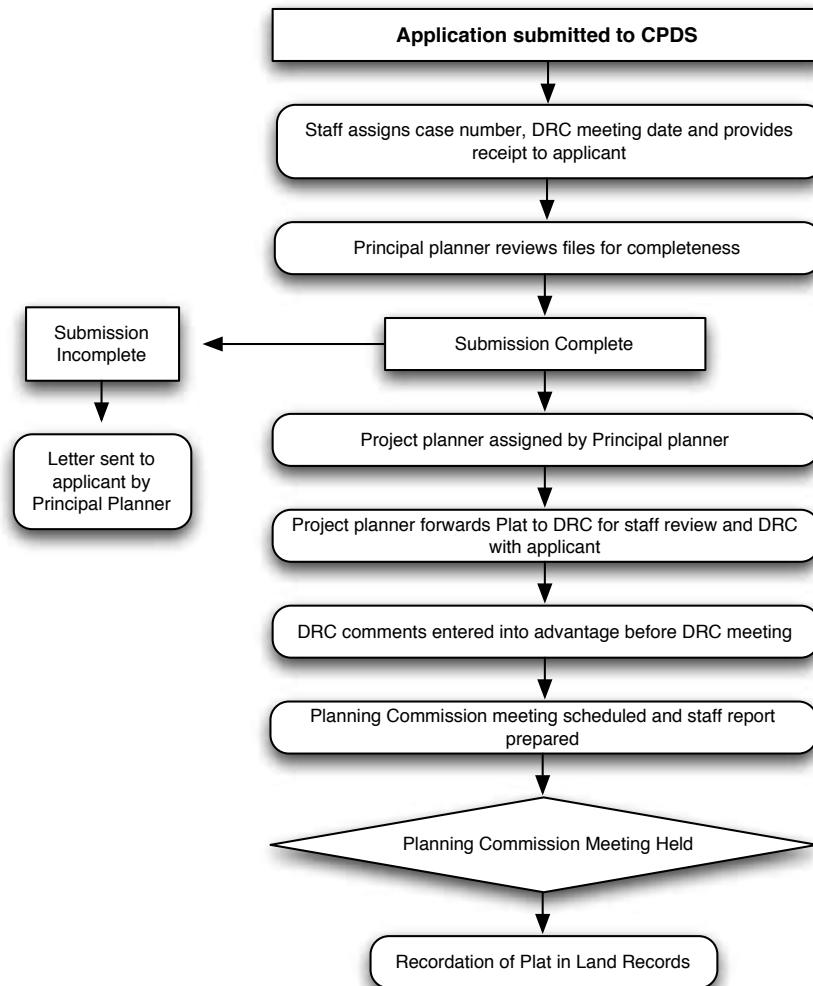
**Processing Time.** Unless granted a waiver by the applicant, failure to act upon a Final Record Plat within 30 days of submittal will result in the application being approved.

**Effective Period.** Pursuant to Section 25.21.11.1, if the applicant fails to comply with any condition of approval so that the Final Record Plat is not recorded within two years after approval, the application will be considered withdrawn and any previous approval will be revoked. For good cause, the Planning Commission may grant a total of two time extensions, each not exceeding one year each. The commission may extend the time for recording the Final Record Plat to the expiration date of the existing Site Plan or Project Plan approval.

**Applicable Sections of the Rockville City Code.** Article 21 of the Zoning Ordinance.

## Final Record Plat

### *Zoning Ordinance: Article 25.21.11*



**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

#### Acronyms used

**CPDS:** Community Planning and Development Services  
**APFO:** Adequate Public Facilities Ordinances  
**CTR:** Comprehensive Transportation Review  
**NRI:** National Resources Inventory  
**FSD:** Forest Stand Delineation  
**HDC:** Historic District Commission  
**HP:** Historic Preservation  
**SWM:** Stormwater Management

## Historic District Certificate of Approval and Courtesy Review

**Purpose.** The Historic District Certificate of Approval process protects the significant visual character of the City's historic resources, ensures the compatibility of proposed alterations and new construction in designated historic districts and promotes the preservation of Rockville's heritage. Historic District regulations apply only in local historic districts as designated on the official Zoning Map and only when changes would affect the exterior appearance of a structure or property, including but not limited to: outbuildings, mature trees, walkways, landscaping and fences.

**Public Notification.** The public notification requirements for a Certificate of Approval Application are found in Section 25.05.03. The City must provide mail notice to each property owner and resident within 500 feet of the subject property. Notification signs are furnished by the City and must be posted within three business days of receipt.

**Courtesy Review.** An applicant may request a Courtesy Review prior to the HDC hearing for a Certificate of Approval. The Courtesy Review provides an opportunity for the applicant to discuss the application informally with the HDC, and allows the applicant to incorporate guidance from the HDC into the formal application. If requested by the Planning Commission or Mayor and Council, Courtesy Reviews may be provided for developments adjacent designated historic districts.

Courtesy Reviews follow the same schedule as a Certificate of Approval application, and are noticed in the same manner. The HDC generally adheres to the same review considerations and criteria as for a Certificate, although no vote is taken.

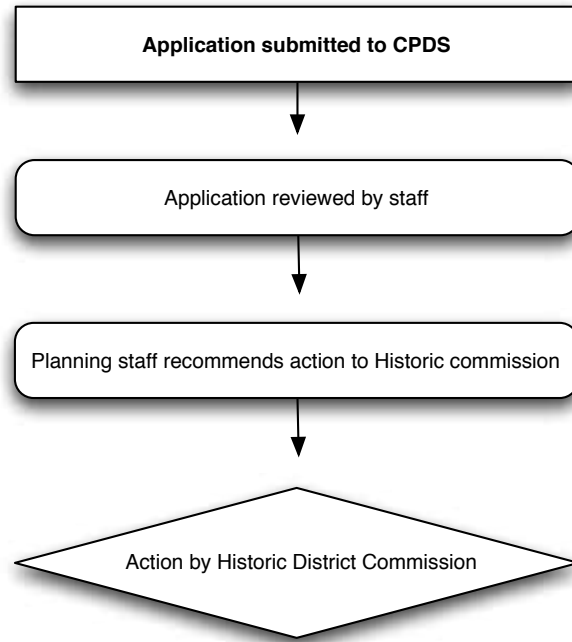
**Implementation Period.** If Site Plan approval is required, a Site Plan application must be filed within six months of the Certificate of Approval's issuance. The filing of the Site Plan extends the implementation period for the Certificate of Approval by one year. If a building permit is required, construction must begin within one year of the Certificate of Approval's issuance or it becomes void. For good cause shown, a maximum of two six-month, extensions of the implementation period may be granted by the HDC. An applicant may not resubmit an application for a Certificate of Approval that is identical to a denied application for one year after the denial.

**Changes to Approved Plans.** No substantial deviation shall be permitted without the approval of the HDC. Applicants must apply for both hazardous tree and non-hazardous mature tree removals. Staff may approve removal of hazardous, dead or dying trees with a report from the City Forester or a certified arborist. For all other tree removal, the HDC must review and approve.

**Applicable Sections of Rockville and State Law.** Sections 25.07.14 of the Rockville Zoning Ordinance and Article 66B, Sections 8.01 to 8.15, of the Annotated Code of Maryland.

## The Historic District Certificate of approval

*Zoning Ordinance: Article 7: Section 25.07.01.04.*



### Acronyms used

**CPDS:** Community Planning and Development Services

**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## Zoning Text Amendment

**Purpose.** Text Amendments may be requested to modify the text of the Zoning Ordinance to create new zones, change standards and uses within particular zones, or to repeal existing zoning categories, among other purposes. The procedures for Text Amendments are found in Section 25.06.02. Text Amendments do not apply to Article 4 pertaining to Approving Authorities, Sections 25.06.01 and Section 25.06.02 related to Zoning Map and Text Amendments, and Article 19 pertaining to zoning enforcement. Proposed amendments to Article 21 pertaining to subdivision regulations require a public hearing by the Planning Commission per state code.

**Public Notification.** Because Text Amendments generally apply citywide and are not related to specific properties, mailed notice is not typical. However, there may be instances when mailed notice is appropriate.

Per State Code, publication of an advertisement in a newspaper of general circulation is required, to include two insertions on two successive weeks, with first notice appearing at least 14 days prior to the hearing.

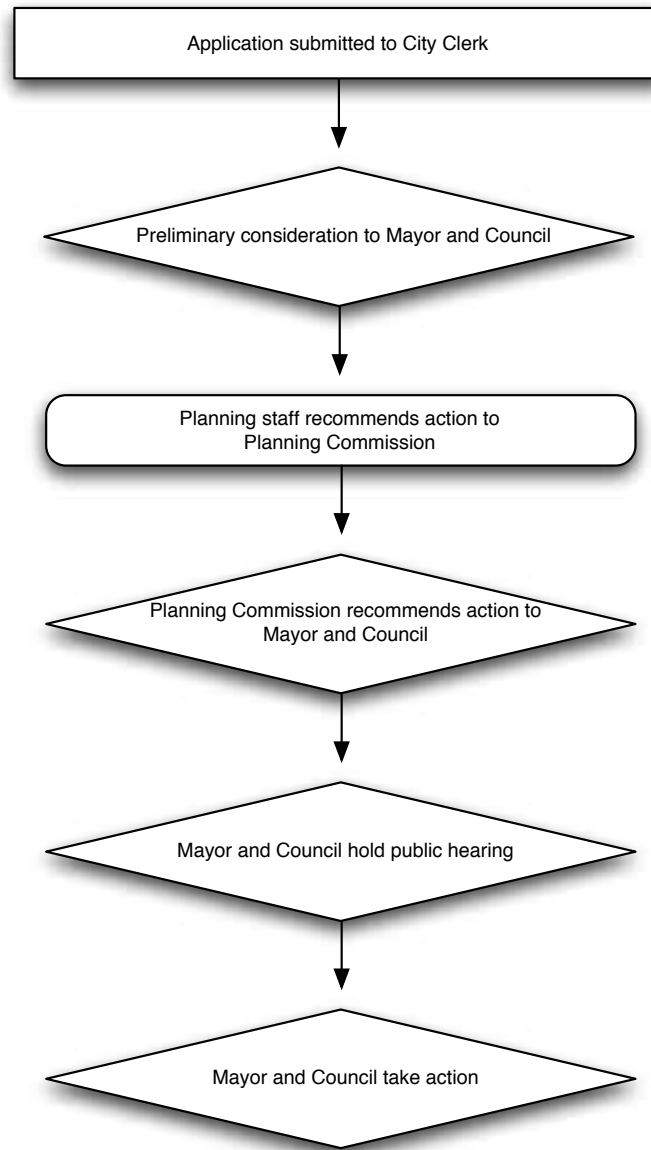
**Processing Time.** The typical time involved is approximately six months.

**Applicable Sections of the Rockville City Code.** Zoning Ordinance, Section 25.06.02



## Text Amendment

### *Zoning Ordinance: Article 6: Section 25.06.02*



**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

\* Newspaper ad will be posted by City Clerk's office

\*Notifications will be sent out by the Planning Division

## Local Map Amendment

**Purpose.** To change the zoning map covering a single tract, all portions of which are proposed to be classified in one zone or more zones.

**Applicant.** A Local Map Amendment application may be made by the Mayor and Council, Planning Commission, or by a person with a financial, contractual or proprietary interest in the property to be affected by the proposed amendment.

**Limitation on Amendments to Application.** After acceptance for filing, a Local Map Amendment application may not be amended to increase the area proposed to be reclassified or to change the requested zone or alternative zones to any other zone.

**Finding Required.** Article 66B of the Annotated Code of Maryland requires that, in order to grant a zoning change, a finding must be made that there was a substantial change in the character of the neighborhood where the property is located or that there was a mistake in the application of the existing zoning classification.

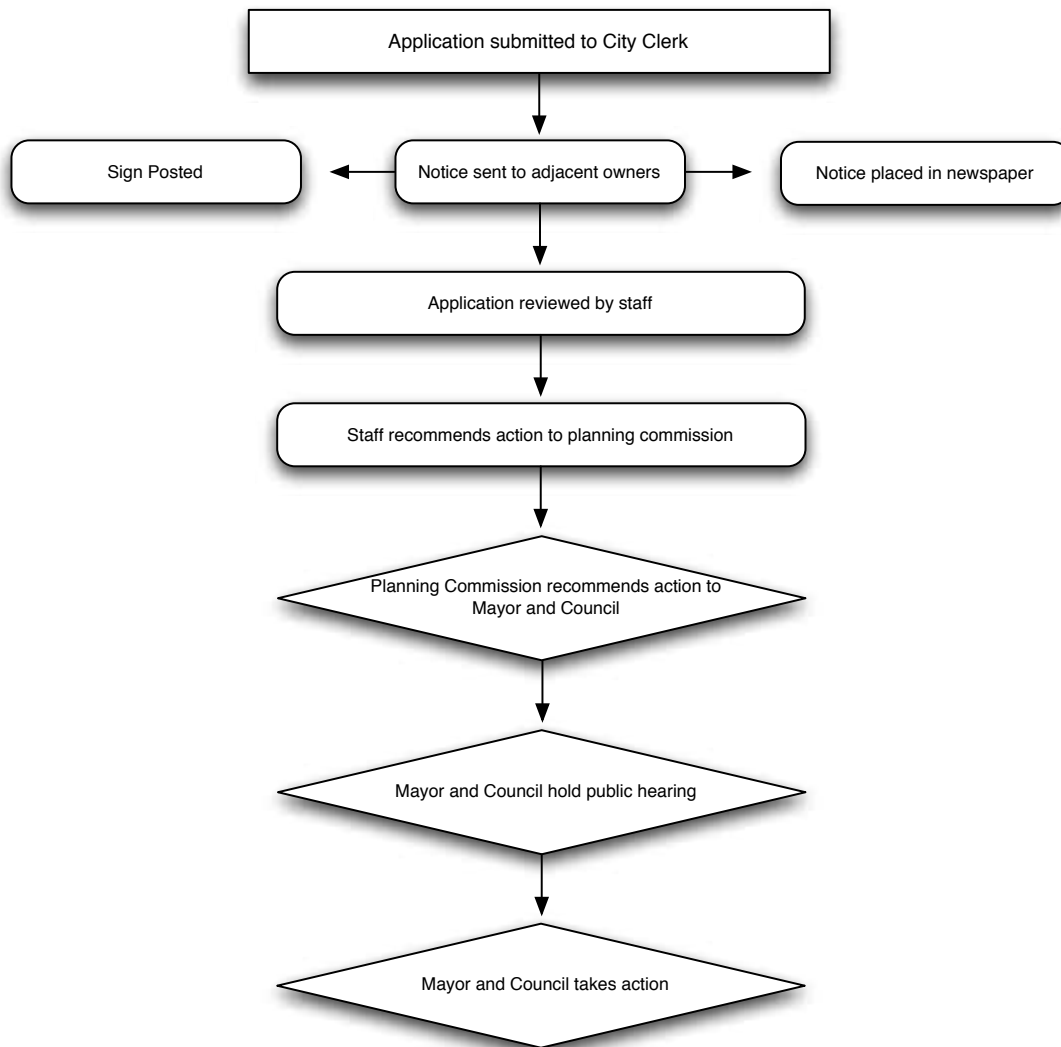
**Public Notification.** A newspaper advertisement must appear once a week for two consecutive weeks, with the first appearing at least 14 days before public hearing. The City Attorney's Office prepares the ad and forwards it to the City Clerk to send to the newspaper. Written notice is mailed to adjacent property owners by the applicant at least 15 days before the public hearing date established by the City Clerk. Written notice mailed to all property owners, residents and associations within 750 feet of the subject property is also required.

**Withdrawal of Application.** A Local Map Amendment application, on which a public hearing has been conducted, may be withdrawn only with the approval of the Mayor and Council.

**Applicable Sections of Rockville City Code and State Law.** Section 25.06.01 of the Zoning Ordinance and Article 66B, Section 4.05(a) of the Annotated Code of Maryland.

### Local Map Amendment

*Zoning Ordinance: Article 6, 25.06.01*



**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## Annexation

**Purpose.** To add land area into the incorporated municipal boundary and place City zoning on the property.

**Petition Requirements.** Municipalities may annex unincorporated territory contiguous and adjoining the municipal boundaries, but may not annex land within another municipality. An Annexation cannot create an unincorporated enclave that is surrounded on all sides by property within the City.

The procedures for annexation of property are found in Article 23A, Section 19 of the Annotated Code of Maryland. Annexation petitions are typically submitted by property owners. Annexation may also be initiated by a municipality, if it obtains the consent of 25 percent of the registered voters and owners of 25 percent of the real property in the area to be annexed. Maryland state law also enables the property owners and residents of the area to be annexed to petition the municipal governing body to initiate Annexations. A valid petition requesting Annexation does not compel its enactment. The Mayor and Council alone are authorized to introduce and approve an Annexation resolution.

**Public Notification.** Public hearings before the Planning Commission and Mayor and Council are required. Newspaper ads must be published (four insertions at weekly intervals for property over 25 acres and two insertions for property 25 acres or less, with the last at least 15 days prior to the hearings). The Planning Commission Public Hearing ad must appear at least 15 days prior to the Planning Commission Public Hearing. Written notice is sent by City staff to all property owners and residents within 500 feet of the subject property after the filing of a petition and prior to any public hearings. The City Clerk's office sends notice of Mayor and Council decision to the applicant, Planning Commission and all persons whose name and address appears in the annexation record.

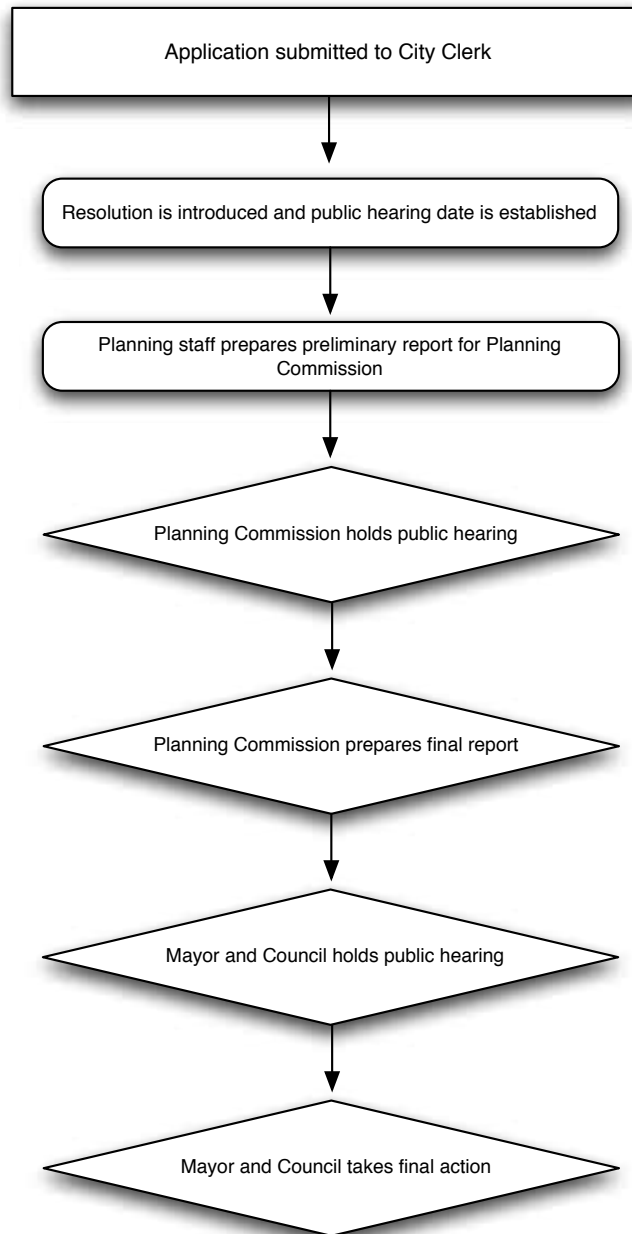
**Processing Time.** The time involved is approximately six months.

**Additional Information.** Twenty percent of the residents and owners of an area to be annexed or 20 percent of the qualified voters of the City may require a referendum on an Annexation if they submit a petition to the Mayor and Council for such a referendum within 45 days after the adoption of the Annexation resolution.

**Applicable Sections of Law.** Article 23A, Section 19 of the Annotated Code of Maryland and Section 25.02.04 of the Zoning Ordinance.

## Annexation

### Zoning Ordinance: Article 2: Section 25.02.04



Newspaper ad will be posted by City Clerk's office

Notification will be send out by the Planning Division. Refer to section 25.05.03

**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200

## Street Closing and Abandonment

**Purpose.** To either temporarily close a public road or permanently remove a street right-of-way from public control.

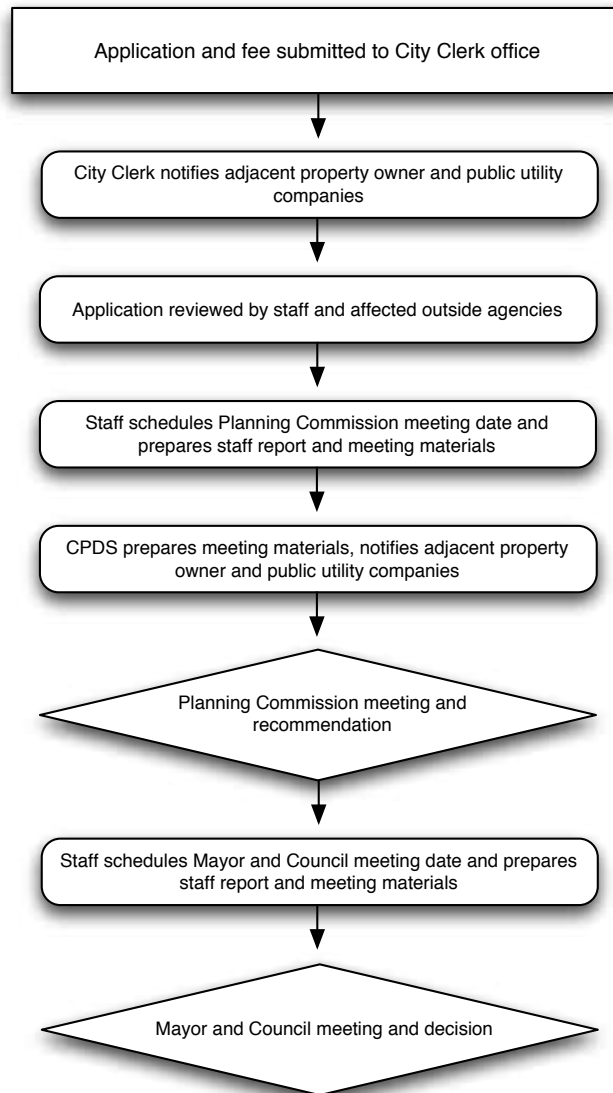
**Notice Requirements.** The City Clerk notifies adjacent property owners and public utility companies by certified mail of the request for abandonment. In addition, a notice of the request for abandonment is placed one time in a newspaper having general circulation in the city. The notice specifies the time and place of the hearing at which people who are affected may appear and present their views. In addition, the City will notify all property owners and residents within 500 feet of the application area at least two weeks prior to the Planning Commission meeting and Mayor and Council public hearings.

**Processing Time.** The processing time for a Street Closing and Abandonment request ranges from four to six months.

**Effective Period.** The Street Closing and Abandonment is final on satisfaction of the conditions of approval and the recordation of the Zoning Ordinance

**Applicable Sections of the Laws of Rockville.** Chapter 21, Article III, Sections 21-81 to 21-98 of Rockville City Code.

## Street Closing and Abandonment (SCA)



**Note:** Any and all appeals must be conducted in accordance with Maryland rules as set forth in Title 7, Chapter 200





## Chapter 6

# Next Steps After Decision

**Implementation Period.** As defined in the Zoning Ordinance, the Implementation Period is the date by which approved activity must begin to avoid expiration of the approval. All types of development approvals have a prescribed time frame for the Implementation Period. For Project Plans, a validity period may be prescribed by the Mayor and Council in its approval.

**Amendments to Approved Development.** No substantial deviation from approved development plans shall be permitted without the approval of the applicable Approving Authority or as specified by Section 25.05.07 of the Zoning Ordinance. Substantial deviations generally include, but are not limited to: increased building square footage; increased height; or an increase in the number of dwelling units.

The Chief of Planning may act on minor amendments that do not substantially deviate from the terms and conditions of the original approval and would carry out the original intent. Where the Chief of Planning determines that a requested change is too significant to be considered a minor change but not substantial enough to require a new application, the applicant may apply for a Major Amendment to an Approved Development.

For site plans, if the Chief of Planning determines that the requested change amounts to a comprehensive change to more than 50 percent of the project area, or would otherwise change the essential character and impact of the development, a new application is required.

**Additional Approvals Required.** Some development proposals may require more than one type of application prior to applying for building permits. For example, certain uses in the Zoning Ordinance Land Use Tables require a Special Exception application to ensure that the use is compatible with the surrounding area. Following approval, Special Exceptions proceed to Site Plan Level 2 application to review the site design and building mass and placement. If a development lies within a historic district or proposes demolition, a Certificate of Approval may be required for review by the HDC. Other types of applications may also be required by one development, depending on the proposed land use, the scope, and characteristics of the proposed development project. Please refer to the Zoning Ordinance and seek assistance from CPDS to assess the need for additional approvals and next steps for a given project.

**Permitting Next Steps.** On completion of the development review application and approval process for site plans and public facilities, the applicant may proceed to the building permit application phase.

The Division of Inspection Services, CPDS, and the Department of Public Works are charged with processing permit applications for building construction and site construction. No construction is allowed until appropriate permits are approved and issued. During construction and prior to obtaining an Occupancy Permit, these two departments conduct inspections to ensure that construction complies with the approved plans.

The City will issue an Occupancy Permit at the conclusion of all final inspection approvals and receipt of any as-built plans, bonds, fees and compliance with other outstanding conditions.

## Appendix A

# Zoning Ordinance and Guidelines Applicable to the Development Review Process

1. Zoning Ordinance: [www.rockvillemd.gov/zoning](http://www.rockvillemd.gov/zoning)
2. Comprehensive Master Plan: [www.rockvillemd.gov/government/cpds/long-range/plans.html](http://www.rockvillemd.gov/government/cpds/long-range/plans.html)
3. Town Center Master Plan: [www.rockvillemd.gov/government/cpds/long-range/plans.html](http://www.rockvillemd.gov/government/cpds/long-range/plans.html)
4. East Rockville Neighborhood Plan, Hungerford Stoneridge New Mark Commons Neighborhood Plan; Lincoln Park Neighborhood Plan; West-End Woodley Gardens East/West Neighborhood Plan; Westmont-Tower Oaks Neighborhood Plan: [www.rockvillemd.gov/government/cpds/long-range/plans.html](http://www.rockvillemd.gov/government/cpds/long-range/plans.html)
5. Landscaping, Screening and Lighting Manual: [www.rockvillemd.gov/government/planning-zoning](http://www.rockvillemd.gov/government/planning-zoning)
6. Adequate Public Facilities Zoning Ordinance (APFO): [www.rockvillemd.gov/government/cpds/apfo.htm](http://www.rockvillemd.gov/government/cpds/apfo.htm)
7. Comprehensive Transportation Review (CTR): [www.rockvillemd.gov/residents/traffic/ctr.htm](http://www.rockvillemd.gov/residents/traffic/ctr.htm)
8. Forest and Tree Preservation Zoning Ordinance (FTPO): [www.rockvillemd.gov/environment/regulations/](http://www.rockvillemd.gov/environment/regulations/)
9. Publicly Accessible Art in Private Development Zoning Ordinance: [www.rockvillemd.gov/arts/aipd](http://www.rockvillemd.gov/arts/aipd)
10. Environmental Guidelines: [www.rockvillemd.gov/environment/regulations](http://www.rockvillemd.gov/environment/regulations)
11. Sediment Control and Stormwater Management Ordinance: [www.rockvillemd.gov](http://www.rockvillemd.gov)



## Appendix B

# Project Impact Points System (PIPS)

The level of review for each application is based on a Project Impact Points System (PIPS), provided in the chart below. Each application must be evaluated on the acreage of the site, the number of dwelling units proposed, the square footage of non-residential space, the residential impact area, and the traffic impact of the development proposed.

Each of these items is allocated a number of project impact points which are added together to determine the complete point valuation for the project. The Residential Area Impact is determined by the amount of land area that is comprised of single-unit detached homes within a ¼ mile (1,320 feet) radius of a development proposal.

| POINTS/ELEMENTS                                 | 1   | 2   | 3   | 4   |
|---|---|---|---|---|
| <b>Tract Size (Acres)</b>                       | 1 or fewer  | 1.1 to 2.5  | 2.6 to 5  | 5.1 or greater  |
| <b>Dwelling Units</b>                           | 5 or fewer  | 6 to 50   | 51 to 150   | 151 or greater  |
| <b>Square Footage of Non-residential Space</b>  | 5,000 or fewer sq. ft.  | 5,001 to 25,000 sq. ft.   | 25,001 to 100,000 sq. ft.   | 100,001 or greater sq. ft.                            |
| <b>Residential Area Impact</b>                  | Up to 10% residential development in a single dwelling unit residential zone within ¼ mile of the project | Up to 50% of area within ¼ mile of the project area is comprised of single-unit detached residential units. | Up to 75% of area within ¼ mile of the project area is comprised of single-unit detached residential units. | Development is within single-unit detached unit area. |
| <b>Traffic Impact – Net New Peak Hour Trips</b> | Fewer than 30 trips   | 30 -74 trips  | 75 - 149 trips  | 150 or more trips                                     |



## Appendix C

# Traffic Estimates for PIPS Determination

As part of the application review process, the applicant is required to provide information on the potential traffic impact the proposed project may produce. The following information is intended to provide the applicant with a way to estimate the amount of traffic that will be generated, depending on the type of use or uses proposed.

Please note that these are general guidelines for initial estimates and not inclusive of all types of uses. All applicants for development other than individual single-family houses are required to attend a transportation scoping meeting with the Traffic and Transportation staff to determine the information that will be required to process the application.

In general, the traffic generation rates must be based on the highest peak hour for the use and the area of the project. Projects generating less than 30 peak hour trips must evaluate on-site vehicle and non-vehicle circulation. Projects generating more than 30 peak hour trips will be required to submit a traffic report derived from tables in Appendix A of the Local Area Transportation Review (LATR) provisions provided by the County. The chart below includes the highest peak hour factor, which is normally the afternoon (p.m.) peak.

### Residential (Table A-4)

|   |                    |
|---|--------------------|
| Single Unit Detached Residential (1 to 74 units)    | 1.1 per unit       |
| Single Unit Detached Residential (75 units or more) | 0.82 per unit +21  |
| Townhouses (up to 99 units)                         | 0.83 per unit      |
| Townhouses (100 units and up)                       | 0.48 per unit + 35 |
| Multi-unit Residential (up to 74 units)             | 0.48 per unit      |
| Multi-unit Residential (75 units or more)           | 0.47 per unit + 1  |

### General Retail (Table A-2)

|   |                           |
|---|---------------------------|
| Buildings less than 50,000 sq. ft. gross leasable area  | 12.36 per 1,000 s.f.      |
| Buildings 50,000 to 200,000 sq. ft. gross leasable area | 7.43 + 247 per 1,000 s.f. |

**General Office (Table A-1)**

|  |                               |
|--|-------------------------------|
| Buildings less than 25,000 square feet                 | 2.24 per 1,000 s.f. GFA       |
| Buildings 25,000 square feet to less than 300,000 s.f. | 1.44 per 1,000 s.f. GFA + 20  |
| Buildings 300,000 square feet or more                  | 1.44 per 1,000 s.f. GFA + 127 |



## Appendix D

# Planning Division Fee Schedule

*As of July 1, 2011*

### Administrative Adjustment (VAR)

|             |         |
|-------------|---------|
| Application | \$1,500 |
|-------------|---------|

### Annexation (ANX)

|                     |  |
|---------------------|--|
| Annexation Petition | \$10,000 plus \$200/acre or part thereof |
|---------------------|--|

### Historic District Application (HDC)

|                          |           |
|--------------------------|-----------|
| Certificate of Approval* | No Charge |
|--------------------------|-----------|

### Map Amendments (MAP)

|  |  |
|--|--|
| Local Map Amendment – Residentially Zoned* | \$1,500 + \$100/acre or part thereof     |
| Local Map Amendment – All Others*          | \$3,000 + \$200 per acre or part thereof |

### Non-Conforming Alterations

|                             |         |
|-----------------------------|---------|
| Chief of Planning Review*   | \$1,500 |
| Planning Commission Review* | \$3,000 |

### Notification Signs

|   |       |
|---|-------|
| Site Plans, Special Exceptions, Project Plans | \$250 |
| All Others (when required)                    | \$50  |

### Other Fees

|   |         |
|---|---------|
| Zoning Compliance Verification Letter                 | \$300   |
| Application Resubmission Fee -<br>3rd and Subsequent  | \$500   |
| Project Plan Resubmission Fee -<br>3rd and Subsequent | \$2,000 |

**Plats (PLT)**

|   |                            |
|---|----------------------------|
| Preliminary Plan                                      | \$2,000 plus \$50 per lot  |
| Final Record Plat - Existing Single Unit Detached Lot | \$200                      |
| Final Record Plat – All Others                        | \$770 plus \$50 per lot    |
| Ownership Plat  | \$3,300 plus \$110 per lot |

**Project Plan (PJT)**

|                     |  |
|---------------------|--|
| New Application*    | \$10,000 plus \$110 per acre or part thereof |
| Minor Modification  | \$2,200                                      |
| Major Modification* | Same as Initial Fee                          |

**Pre-Application (PAM)**

|               |       |
|---------------|-------|
| PAM Submittal | \$500 |
|---------------|-------|

**Sign Permits (SGN)**

|                 |                                  |
|-----------------|----------------------------------|
| Non-illuminated | \$1.65 per square foot           |
| Illuminated     | \$2.20 per square foot           |
| Freestanding    | \$55 plus \$2.20 per square foot |
| Minimum Fee     | \$85                             |
| Sign Variance   | \$500                            |

**Site Plan (STP)**

|                  |  |
|------------------|--|
| Level 1*         | \$2,500 plus \$20 for each 1,000 sq. ft. (GFA) of non-residential use or portion thereof and \$20 for each dwelling unit |
| Level 2*         | \$3,000 plus \$20 for each 1,000 sq. ft. of non-residential use or portion thereof and \$20 for each dwelling unit       |
| Minor Amendment  | \$1,500  |
| Major Amendment* | Same as Initial Fee  |
| Mobile Use       | \$300  |
| Renew Mobile Use | \$300  |

**Special Exception (SPX)**

|   |                     |
|---|---------------------|
| Minor Amendment to Existing SPX   | ½ of Initial Fee    |
| Major Amendment to Existing SPX*  | Same as Initial Fee |
| Tier 1*:<br>Accessory Apartment; Swimming Pool (non-accessory); Home based business (major); Taxicab Service; Charitable and philanthropic institutions; Veterinarian office; Bed and breakfast lodging; Child care center (9 – 12 children). | \$3,000             |

Tier 2\*: \$5,000  
 Adult day care; Personal living quarters; Pawnbroker; Child care center (more than 12 children); Group home (large); housing for senior adults with disabilities; Life care facility; Nursing home; Outdoor and Indoor recreational establishment (commercial, except shooting gallery or range); Restaurant in the I-L zone; Shooting gallery or range; Sports facility (Multi-purpose, indoor commercial); Private club; Animal hospital.

Tier 3\*: \$10,000  
 Automobile filling station (Class I and II); Educational institutions (private); Hospital; Hotel; Public utility buildings and structures; Restaurant with drive-through; Wireless communication (freestanding ground mount antenna support structure).

Tier 4\*: \$15,000  
 Adult oriented establishments

#### Temporary Uses

Construction Trailers; Real Estate Offices; \$150  
 Christmas Tree Lots; and Sales of Produce

#### Text Amendments (TXT)

Text Amendment – Existing Text \$3,000

Text Amendment – New Zone / Procedure \$6,000

#### Time Extensions

Single Dwelling Unit \$50

All Others \$300

#### Variance (VAR)

Variance and Appeals Application\* – Single \$350  
 unit detached, semi-detached, attached  
 and townhouse

Variance and Appeals Application\* - All others \$2,500

\* Notification Sign Required



## Appendix E

# Development Review Committee (DRC) Contact List

### Community Planning & Development Services (CPDS)

- Development Review Committee (DRC) Coordinator: Bobby Ray, Principal Planner, 240-314-8228
- Project Planners: Cas Chasten, Planner III, 240-314-8223, Jeremy Hurlbutt, Planner III, 240-314-8227, Margaret Hall, Planner II, 240-314-8226, Nicole Walter, Planner II, 240-314-8215
- Application Intake: Punam Thukral, Secretary II, 240-314-8231
- Zoning Administration: Deane Mellander, Zoning Administrator, 240-314-8224
- Board of Appeals Liaison: Cas Chasten, Planner III, 240-314-8223
- Historic District Commission Liaison: Robin Ziek, Planner II, 240-314-8236
- Planning Commission Liaison: Andrew Gunning, Assistant Director of CPDS 240-314-8206
- Master Plan Compliance: Ann Wallas, Planner III, 240-314-8205
- Fire: Matthew Shanks, Fire Marshal, 240-314-8263, Keith Heckler, Fire Protection Engineer, 240-314-8246
- Sign Review: Tamara Dietrich, Zoning Inspector, 240-314-8254

### Department of Public Works (DPW)

- Engineering/Stormwater Utilities: Mark Wessel, Engineering Supervisor, 240-314-8525, Mary Fertig, Civil Engineer III, 240-314-8535
- Traffic and Transportation: Peter Campanides, Civil Engineer II, 240-314-8506, Rebecca Torma, Transportation Planner II, 240-314-8527
- Environmental Management: Lise Soukup, 240-314-8874

### Department of Recreation and Parks (DRP)

- Recreation and Parks: Steve Mader, Superintendent of Parks and Facilities, 240-314-8702

- Forestry: Wayne Noll, City Forester, 240-314-8705, Elise Cary, Assistant City Forester, 240-314-8710
- Cultural Arts: Christine Henry, Recreation and Parks Administrative Manager, 240-314-8603

# Appendix F

## Pre-application Meeting Checklist and Application Form



Application for

### Pre-Application Meeting

**PAM**

6/11

#### City of Rockville

Department of Community Planning and Development Services

111 Maryland Avenue, Rockville, Maryland 20850

Phone: 240-314-8200 • Fax: 240-314-8210 • E-mail: cpds@rockvillemd.gov • Website: www.rockvillemd.gov

*Please Print Clearly or Type*

Property Address information: \_\_\_\_\_

Subdivision \_\_\_\_\_ Lot(s) \_\_\_\_\_ Block \_\_\_\_\_

Zoning \_\_\_\_\_ Tax Account(s) \_\_\_\_\_ , \_\_\_\_\_ , \_\_\_\_\_

#### Applicant Information:

Please supply name, address, phone number and e-mail Address for each.

Applicant \_\_\_\_\_

Property Owner \_\_\_\_\_

Architect \_\_\_\_\_

Engineer \_\_\_\_\_

Attorney \_\_\_\_\_

LEED AP \_\_\_\_\_

Project Name: \_\_\_\_\_

Project Description: \_\_\_\_\_

#### STAFF USE ONLY

##### Application Acceptance

Application # \_\_\_\_\_

Pre-Application: \_\_\_\_\_

Date Accepted: \_\_\_\_\_

Staff Contact: \_\_\_\_\_

OR

##### Application Intake

Date Received: \_\_\_\_\_

Reviewed by: \_\_\_\_\_

Date of Checklist Review: \_\_\_\_\_

Deemed Complete: Yes ☐ No ☐

## Appendix F

### Level of review and project impact

This information will be used to determine your project impact, per sec. 25.07.02 of the Zoning Ordinance for Project Plan and Site Plan applications only. For Special Exceptions, it will be used to determine the notification area. (see table below)

Tract Size \_\_\_\_\_ acres, # Dwelling Units Total \_\_\_\_\_ Other \_\_\_\_\_

Square Footage of Non-Residential \_\_\_\_\_

Percentage of Single-family homes within Residential Area Impact (1/4 mile) \_\_\_\_\_

Traffic Impact (net new peak hour trips) \_\_\_\_\_

### Proposed:

|                               |                      |  |
|-------------------------------|----------------------|--|
| Retail: _____ Sq. Footage     | Detached Unit: _____ | Parking Spaces: _____  |
| Office: _____ Sq. Footage     | Duplex: _____        | Handicapped: _____   |
| Restaurant: _____ Sq. Footage | Townhouse: _____     | Bicycle Parking: _____   |
| Other: _____ Sq. Footage      | Attached: _____      | # of Long Term: _____  |
|                               | Multi-Family: _____  | # of Short Term: _____   |
|                               | Live/work: _____     | Estimated LEED or LEED-equivalent points. (As provided on LEED checklist.) |
|                               | MPDU: _____          |  |

Existing Site Use (to include office, industrial, residential, commercial, medical etc.) \_\_\_\_\_

### Estimated Points Total:

To complete the table below, use the information that you provided above to calculate your total points from the chart below.

| Points/Elements   | 1  | 2  | 3  | 4  | Points |
|---|--|--|--|--|--------|
| Tract size - Acres  | 1 or fewer   | 1.1 to 2.5   | 2.6 to 5   | 5.1 or greater                                       |        |
| Dwelling Units  | 5 or fewer   | 6 to 50  | 51 to 150  | 151 or greater                                       |        |
| Square Footage of Non-Residential Space   | 5,000 or fewer square feet   | 5,001 to 25,000 square feet  | 25,001 to 100,000 square feet  | 100,001 or greater square feet                       |        |
| Residential Area Impact   | Up to 10% residential development in a residential zone within 1/4 mile of the project | Up to 50% of area within 1/4 mile of the project area is comprised of single-unit detached residential units | Up to 75% of area within 1/4 mile of the project area is comprised of single-unit detached residential units | Development is within single-unit detached unit area |        |
| Traffic Impact - Net new peak hour trips  | Fewer than 30 trips  | 30-74 trips  | 75-149 trips   | 150 or more trips                                    |        |
| <b>Points Total*</b><br>The total of the points determine the level of notification and the approving authority . |  |  |  |  |        |



**Example:**

If your tract size is **2 acres = 2 pts**

If you will have **45 dwelling units = 2 pts**

If your square footage of non-residential space is **5,006 square feet = 2 pts**

If your residential area impact is within a single unit detached area = **4 pts**

If your traffic impact/net new peak hour trips is **32 trips = 2 pts**

**Projected Impact Total = 12**

*\* Project Impact total points are non-binding until application has been filed. Where no dwelling units, no non-residential square footage or no increase in peak hour trips are proposed, and where there is no single unit residential development within 1/4 mile, no points are assigned to these categories.*

**Estimated Application Type: (please check box that applies)**

- ☐ Project Plan (16 pts or more)
- ☐ Project Plan Amendment
- ☐ Site Plan Level 1 (6 or fewer pts)
- ☐ Site Plan Level 2 (7-15 pts)
- ☐ Site Plan Amendment Major (notification radius is 750 or 1,250 feet, depending on original approving authority)
- ☐ Site Plan Amendment Minor (notification not required)
- ☐ Special Exception (Notification Radius-750, 1250, 1500 feet - circle one)
- ☐ Special Exception Modification-Major (Notification Radius-750, 1250, 1500 feet - circle one)
- ☐ Special Exception Modification-Minor (Notification Radius-750 feet)
- ☐ Other \_\_\_\_\_

**Previous Approvals: (if any)**

| Application Number | Date  | Action Taken |
|--------------------|-------|--------------|
| _____              | _____ | _____        |
| _____              | _____ | _____        |

***A letter of authorization from the owner must be submitted if this application is filed by anyone other than the owner.***

I hereby certify that I have the authority to make this application, that the application is complete and correct and that I have read and understand all procedures for filing this application.

\_\_\_\_\_  
Please sign and date

**PRE-APPLICATION SUBMITTAL REQUIREMENTS:** (Submit and check what is applicable to your project type).

**Please complete this checklist and include it as part of the application packet submittal. Each item on the checklist must be included in the application packet. If items are missing, the application cannot be accepted and will be returned.**

**Level 1 Site Plan Application Submittal Requirements**

- ☐ Completed application
- ☐ Application Filing Fee
- ☐ A preliminary site plan (Plan sheet size: maximum 24" x 36", Scale 1"=30"). Include adjoining/abutting properties within 100-feet, showing all existing and proposed site improvements. (12 copies and 1 CD with PDF Version)
- ☐ Project description and scope of work narrative (12 copies)
- ☐ Transportation Scoping Intake Form (12 copies) with fee via separate check
- ☐ Pre-Application Stormwater Management Concept package with fee via separate check
- ☐ NRI/FSD per Forest and Tree Preservation Ordinance (FTPO) with fee via separate check

**Project Plan or Site Plan: (Level 2) Application Submittal Requirements**

- ☐ Completed application
- ☐ Application Filing Fee
- ☐ A preliminary site plan. Prepared by surveyor or engineer. (Plan sheet size: maximum 24" x 36", Scale 1"=30'). Include adjoining/abutting properties within 100-feet, showing all existing and proposed site improvements. (12 copies) and 1 CD with PDF Version
- ☐ Project description and scope of work narrative (12 copies)
- ☐ Transportation Scoping Intake Form (12 copies) with fee via separate check
- ☐ Pre-Application Stormwater Management concept package (12 copies) with fee via separate check
- ☐ NRI/FSD per FTPO as submitted to Forestry with fee via separate check

**Special Exception Pre-Application Submittal Requirements:**

- ☐ Completed application
- ☐ Application Filing Fee
- ☐ A preliminary site plan prepared (plan sheet size: maximum 24" x 36", Scale 1"=30'). Include adjoining/abutting properties within 100-feet, showing all existing and proposed site improvements. (12 copies and one CD with PDF)
- ☐ Project description and scope of work narrative (12 copies)
- ☐ Transportation Scoping Intake Form (12 copies) with fee via separate check
- ☐ NRI/FSD per FTPO (12 copies) with fee via separate check
- ☐ Pre-Application Stormwater Management Concept package with fee via separate check\*

**Pre-Application Meeting Date:**

All meetings are held on Thursday. A date and time of the meeting will be assigned once workload and project lead times are considered, generally is three weeks after PAM has been accepted for processing.

# Appendix G

## Comprehensive Transportation Review (CTR) Scoping Intake Form



City of Rockville

### Comprehensive Transportation Review SCOPING INTAKE FORM

|  |                      |                                |     |       |
|--|----------------------|--------------------------------|-----|-------|
| Project Name:                                      |                      |                                |     |       |
| Permit No. (if available):                         |                      |                                |     |       |
| Subject Property Address:                          |                      |                                |     |       |
| Contact Person:                                    |                      |                                |     |       |
| Contact Phone Number:                              |                      |                                |     |       |
| Contact Email Address:                             |                      |                                |     |       |
| Proposed Land Use Density:                         | Use                  | Square Footage/ Dwelling Units |     |       |
|  |                      |                                |     |       |
|  |                      |                                |     |       |
|  |                      |                                |     |       |
| Trip Generation                                    | Peak Hour Site Trips |                                |     |       |
|  | Peak Period          | IN                             | OUT | TOTAL |
|  | AM                   |                                |     |       |
|  | PM                   |                                |     |       |
|  | SAT                  |                                |     |       |
| Proposed Study Area (Boundaries and Intersections) |                      |                                |     |       |
| Proposed Access Points:                            |                      |                                |     |       |
| Projected Horizon (Build Out) Date:                |                      |                                |     |       |
| Statement of Operations                            |                      |                                |     |       |



# Appendix H

## Area Meeting Guidelines

### A. Time and Location of the Meeting

The meeting shall begin no earlier than 6:00 p.m. and no later than 8:00 p.m. on a weekday or no earlier than 10:00 a.m. and no later than 7:00 p.m. on a weekend. The meeting shall not be on a holiday. A holiday is defined as any legal holiday recognized by the City.

The meeting shall be held:

- On, or in close proximity to the subject property; and
- At a location and room suitable to accommodate the number of attendees.
- If no attendees arrive 30 minutes following the start time, the meeting may be adjourned

### B. General Procedures

The applicant shall conduct the meeting and provide necessary information and materials to attendees including, but not limited to:

- Details about the proposed project, e.g., location, uses, heights, building sizes, parking, access, site design, natural resources, etc;
- The type of approval process that is involved with the proposal; and
- How the neighborhood will be kept informed during the process.
- The applicant shall provide an opportunity for each attendee to ask questions and voice concerns about the proposal.
- The applicant will provide for minutes of the meeting to be taken by an objective, outside source paid for by the applicant.
- The Project Manager will attend the Post-Application Area Meeting as a resource for process information.

### C. Post Meeting

The applicant shall provide the following materials to the Department of Community Planning and Development Services with the submitted application (provide in electronic format):

- A list of names and addresses of attendees as provided on sign-up sheets from the meeting;

- A copy of the minutes from the meeting;
- A copy of the meeting notification letter;
- A copy of the mailing list used for notification; and
- A copy of all materials distributed at the meeting.

## Appendix I

# Sample Letter for Notification of Area Meeting

Mailing Address  
Phone Number, FAX #  
E-mail Address  
(or Company Letterhead if Available)

Date  
Name  
Address  
City, State Zip

Dear Property Owner or Resident:

Please be advised that application **[enter case #]** has been submitted to the City of Rockville seeking approval of a **[enter type of application]** for the following described property: **[Description: address, distance from nearest intersection, fronting street or access road. Verify with project planner]**

In compliance with the City's Zoning Ordinance, an Area Meeting will be held to provide you an opportunity to become fully aware of our development intentions and to give you an opportunity to provide input into the proposed development. A description of the project is enclosed.

### Notice of Area Meeting

**Date:**

**Time:**

**Location:**

At this meeting the applicant will make every effort to illustrate how the property will be developed and answer any questions. Additionally a meeting with the City's Development Review Committee (DRC) is scheduled for Thursday, **Month/Day/Time** at City Hall. Members of the public are invited to attend these meetings to observe, however these are not public hearings and no testimony will be received.

*continued...*

Should you have any questions, please contact **[insert preference]**

Sincerely,

**[Agent/Applicant's name signed and printed]**

Enclosures:

- Project Description
- Location Map
- Site Plan (if appropriate / applicable)
- Anticipated Timeline of the Project
- A copy of "A Citizen's Guide to Development Review in Rockville"

Additional information regarding the City's development review process may be found on the City's website at: [www.rockvillemd.gov/government/cpds/development-manual.html](http://www.rockvillemd.gov/government/cpds/development-manual.html)

You may track the status of the project on the City's website at: [www.rockvillemd.gov/zoning/development/index.html](http://www.rockvillemd.gov/zoning/development/index.html)



## Appendix J

# Sample Letter for Notification of Public Meeting/Hearing

Mailing Address  
Phone Number, FAX #  
E-mail Address  
(or Company Letterhead if Available)

Date  
Name  
Address  
City, State Zip

Dear Property Owner or Resident:

Please be advised that application **[enter case #]** has been submitted to the City of Rockville seeking approval of a **[enter type of application]** for the following described property: **[Description: address, distance from nearest intersection, fronting street or access road. Verify with project planner]**

A description of the project is enclosed. In compliance with the City's Zoning Ordinance the applicant is providing the following notification:

### **Notice of Public Hearing / Meeting before the (Hearing Body)**

**Date:**

**Time:**

**Location:** Mayor and Council Chambers  
Rockville City Hall  
111 Maryland Avenue

**[Verify date and location with project planner].**

Should you have any questions prior to the meeting, please contact **[insert name and contact of assigned City project planner]**

*continued...*

Sincerely,

**Agent/Applicant's name signed and printed]**

**Enclosures:**

- Project Description
- Location Map
- Site Plan (if appropriate / applicable)
- Anticipated Timeline of the Project
- A copy of "A Citizen's Guide to Development Review in Rockville"

Additional information regarding the City's development review process may be found on the City's website at: [www.rockvillemd.gov/government/cpds/development-manual.html](http://www.rockvillemd.gov/government/cpds/development-manual.html)

You may track the status of the project on the City's website at: [www.rockvillemd.gov/zoning/development/index.html](http://www.rockvillemd.gov/zoning/development/index.html)

# Appendix K

## Affidavit of Mail Notice

City of Rockville  
Department of Community Planning and Development Services

**AFFIDAVIT OF PUBLIC NOTICE**

I hereby certify and affirm that, pursuant to the City of Rockville Zoning Ordinance No. 19-08, I did give notice by mail of the subject application for development approval to the owners and residents of property that may be affected by the application as reflected on the attached mailing list. The names and mailing addresses of the property owners were obtained from the most current tax assessment records.

I further affirm that the said notice contains the address and/or other readily identifiable description of the property location of the proposed development and the date, time and place of the meeting to be held on the proposed development.

\_\_\_\_\_  
Application # Applicant

Subscribed and sworn to before me, a Notary Public in and for the  
State of \_\_\_\_\_, County of \_\_\_\_\_,  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires:\_\_\_\_\_

1. AFFIDAVIT TO BE SIGNED BY THE APPLICANT
  2. ATTACH COPY OF THE NOTIFICATION LETTER, MAILING LIST AND NOTIFICATION AREA MAP (PROVIDE IN ELECTRONIC FORMAT)
  3. PLEASE CALL THE PLANNING DIVISION AT (240) 314-8200 FOR ANY QUESTIONS ABOUT THE REQUIREMENTS



# Appendix L

## Affidavit of Area Meeting Compliance

City of Rockville  
Department of Community Planning and Development Services

**AFFIDAVIT OF AREA MEETING COMPLIANCE**

I hereby certify that, pursuant to the City of Rockville Zoning Ordinance 19-08, I did hold the required Area Meeting on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_. I solemnly affirm that the said Area Meeting was held in accordance with the aforementioned Zoning Ordinance and that all Area Meeting guidelines, as set forth in City’s Development Review Manual, were followed and that the meeting minutes were prepared by an objective outside source.

\_\_\_\_\_  
Application # Applicant

Subscribed and sworn to before me, a Notary Public in and for the  
State of \_\_\_\_\_, County of \_\_\_\_\_,  
on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

1. AFFIDAVIT TO BE SIGNED BY THE APPLICANT
  2. PROVIDE A COPY OF THE MEETING NOTIFICATION LETTER, MAILING LIST USED FOR NOTIFICATION, AND A COPY OF ALL MATERIALS DISTRIBUTED AT THE MEETING (PROVIDE IN ELECTRONIC FORMAT)
  3. PLEASE CALL THE PLANNING DIVISION AT 240-314-8200 IF YOU HAVE QUESTIONS ABOUT THE REQUIREMENTS



## Appendix M

# Affidavit of Sign Posting

City of Rockville  
Department of Community Planning and Development Services

### AFFIDAVIT OF SIGN POSTING

I hereby certify that I placed or caused to be placed upon the property, which is the subject of Case # \_\_\_\_\_ the sign furnished by the Planning Division of Rockville; that the sign was posted for filing of said application, within ten feet of the boundary line, which abuts the most traveled public road, or if no road abuts thereon, then facing in such a manner as may be most readily seen by the public; that I inspected the property at least once a week and that on each and every occasion through the date of public hearing, the sign was in place, or if the sign was damaged, destroyed, or removed, that such sign was repaired or replaced within five days of the inspection, which resulted in the discovery of the damage to, or destruction or removal of the sign. I understand that the sign is to be maintained in the same condition until a final decision has been made on the subject application.

\_\_\_\_\_  
Application # Applicant

Subscribed and sworn to before me, a Notary Public in and for the

State of \_\_\_\_\_, County of \_\_\_\_\_,

on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

1. AFFIDAVIT TO BE SIGNED BY THE APPLICANT.
2. PLEASE CALL THE PLANNING DIVISION AT 240-314-8200 IF YOU HAVE QUESTIONS ABOUT THE REQUIREMENTS.

